



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, WEDNESDAY, MAY 22, 2013

No. 73

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MCCLINTOCK).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
May 22, 2013.

I hereby appoint the Honorable TOM MCCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### SERGEANT DWAYNE POLK, HARRIS COUNTY, TEXAS, LAWMAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, peace officers are the ones who diligently protect and serve the people. They are the first to respond to the call for help in time of trouble.

They go after the bad guys and provide us safe communities to live in. Some take extra jobs to make ends meet. They wear the badge of commitment over their heart. Sheriffs departments in Texas wear a star over their heart.

Today, peace officers in Houston, Texas, have placed a black band across their badges in honor of one of the fallen among their number. Sergeant Dwayne Polk, 47, of the Harris County Sheriff's Department, was killed about 3 a.m. Sunday morning. He was headed home in his uniform after working a contract assignment.

Sergeant Polk grew up in Houston, Texas, with his three sisters and his two brothers. His mother always encouraged him and the other kids to read the Bible.

He had worked for the sheriff for 16 years. Sheriff Adrian Garcia said:

It was tough talking to his son, but he will have many big brothers in the sheriff's department.

As Sergeant Polk was driving home that Sunday morning, his pickup truck was struck by Andres Munos-Munos, who ran a red light, never slowed down, and crashed into Polk. Polk was killed. Munos-Munos was drunk and had minor injuries.

Munos-Munos was charged with intoxication, manslaughter, and is in jail. He had been convicted last year for drunk driving and unlawfully carrying a pistol. He went to jail for 30 days for that offense. News reports also say Munos-Munos was in the country illegally.

Last weekend, while Polk was being killed in Texas, America's families of peace officers killed in the line of duty last year were here in D.C. Their fallen were honored by thousands of other officers from America on the west side of this Capitol.

Next year, about this time, Sergeant Dwayne Polk, of Harris County, Texas, and the sheriff's department will be remembered here as his name is read from the rollcall of the dead.

Citizens should appreciate the service of officers like Sergeant Polk. They do the work most of us would never do. They go into the worst places of our cities to root out evil that lives among

us. They sacrifice for us. The least we can do is appreciate them for wearing the star or the badge over their heart, protecting the rest of us.

They are the only thing that stands between us and the lawless. They are among the best we have. So we mourn the loss of Sergeant Polk, while thanking the good Lord such men as him ever lived.

And that's just the way it is.

### THE EFFECTS OF SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, as the sequester's effects continue to place our economy and national security at risk, the news that 650,000 civilian defense workers will be forced to take unpaid leave ought to alarm all Americans who are concerned about our military readiness and national security. These furloughs will affect thousands who live in my district and thousands who live in the districts of every Member here.

After Congress voted earlier this month to end furloughs for air traffic controllers that had caused flight delays, one would have expected there to be a unanimous outcry for the rest of the sequester to be replaced.

The best way to do that, of course, Mr. Speaker, is with a big and balanced agreement, but, instead, Republicans in this House don't seem interested.

It's not just Democrats who are taken aback by their silence. Republican Senator and former Presidential nominee of the Republican Party, JOHN MCCAIN, said on May 14, just a few days ago, about these furloughs for civilian defense employees:

Nobody seems to care. It's amazing. It's one of the most amazing things I've seen in the years I've been in the Senate.

So said JOHN MCCAIN.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H2841

Democrats continue to call for the sequester to be replaced with a balanced approach to deficits that restores fiscal discipline, preserves our ability to pay for our military readiness, and invests in a strong economy.

The sequester, on its own, is not a solution. It has been, however, Republican policy all along and is now in effect because they refuse to compromise in a bipartisan way to find a real solution.

If you go back to July of 2011 and look at the Republican offer of the Cut, Cap and Balance bill, you will see that sequestration is in there. It is the alternative that Republicans put forth as policy; 229 Republicans voted for that policy.

Well, they got what they wanted. On April 27, a report in *The Hill* said:

GOP leaders in the House said they have no plans to bring up broad legislation to replace sequestration, according to a leadership aide.

The men and women who are hard at work supporting our troops and protecting our Nation are set to be furloughed for 11 days this year—an unfair, unplanned, undeserved pay cut, while, frankly, the leadership of this House sits idly by and takes no action to replace the sequester.

The same goes for the other terrible effects sequestration could have: 70,000 eligible children kicked off Head Start; 10,000 teachers' jobs at risk; retirement disability claims delayed; 4 million fewer Meals on Wheels for seniors; 125,000 fewer rental assistance vouchers; 2,100 fewer food safety inspectors.

Surely, if those were on the floor for a vote, most of us would not vote for them; but that's what's happening as a result of the sequester.

We know, Mr. Speaker, what the Republican plan is for these defense cuts, to pass appropriation bills in the House that shift those cuts so that domestic programs, those education, Head Start, food safety that I've just mentioned, basic biomedical research, are cut more deeply than the parties agreed to in the Budget Control Act in 2011.

We also understand, Mr. Speaker, and everyone recognizes, that the domestic cuts Republicans want to impose, instead, couldn't even pass the House, let alone make it through the Senate or survive a certain veto.

So, again, Mr. Speaker, we have only one reasonable option before us, and that is to work together, to set our differences aside for the good of our country, and to achieve real compromise.

A big, balanced, bipartisan approach that replaces the entire sequester is the only way to protect our defense workers against these furloughs and end the uncertainty that they and their families are facing.

Let's have a vote, Mr. Speaker, on a balanced alternative, not another vote to repeal health care reform that's not going anywhere, not another vote to roll back the rights of workers, not another vote to strip away safety standards or environmental protections.

Let's stop wasting time and get to work on the most pressing challenge we face, and make the tough choices necessary to restore fiscal stability and invest in our economy and in our national security.

□ 1010

#### FEDERAL GOVERNMENT IS TOO LARGE AND HAS TOO MUCH CONTROL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Ohio. Mr. Speaker, I find it would be irresponsible if I didn't mention this. It sounds like the lightbulb has come on for my colleague from Maryland. He now says that we should replace the sequester. I only wish that that lightbulb had come on when the House passed under Republican leadership—twice—legislation in the 112th Congress to replace the sequester with responsible spending cuts. So it looks like here we are again.

The recent admission by the IRS that it used its considerable authority and resources to target certain Americans because of their political affiliation should serve as an urgent warning to all Americans: the Federal Government is getting too large and has too much control. The simple truth is that when the government expands, personal liberty contracts.

I found it both stunning and revealing when the former adviser to President Obama, David Axelrod, said this:

Part of being President is there's so much beneath you that you can't know because the government is so vast.

For a member of this President's inner circle to admit that the Federal Government is so massive that it is essentially not practical for the chief executive to hold it accountable or for the President to effectively manage it is simply stunning. It also begs the question, if it is no longer possible for the President of the United States to oversee all the Federal agencies assigned to him and to hold them accountable, then who is? Is anyone?

As if the IRS scandal wasn't bad enough, there are other troubling stories that have arisen in the last few weeks. The Associated Press has said that the administration monitored hundreds of private phone calls between reporters. Is this really freedom of the press? Then we find that talking points given to the administration to tell the American people what happened on that fateful night in Benghazi were twisted, cut, turned, and edited to the point that the truth wound up on the cutting room floor in the White House, or at the State Department, or at the CIA, or at the Department of Defense. Actually, we don't even really know. But we're going to find out.

But we do know one very troubling thing: the Federal Government, with the IRS leading the way, is about to become exponentially larger and more

powerful because it's about to get into the health care business. ObamaCare will be fully implemented by next January. And, according to the Treasury Department's inspector general, the new health care law is the largest set of new tax law changes in 20 years.

The IRS will be hiring more bureaucrats to make sure Americans comply with these new laws and to oversee the flood of new personal information the Federal Government will be collecting on the American people. For example, under ObamaCare, the Federal Government will require insurance companies to report to the IRS the name, the address, the identification number, and type of policy purchased by every customer. And, if that weren't enough, the IRS will also require insurance companies to detail whether or not individuals purchased "government-approved health care" to ensure compliance with ObamaCare's individual mandate.

And, just yesterday, Lois Lerner, head of the IRS' Exempt Organizations Division, announced that she would be invoking the Fifth Amendment to protect herself from self-incrimination.

The truth is that our Federal Government is too big, too intrusive, and it's seeping into every aspect of our lives. It's taking away personal freedoms and collecting personal data. It has shown it can be manipulated to punish fellow Americans for their political beliefs, all at the expense of the American taxpayer.

And let me be clear: I'm not a no-regulation guy. We need commonsense regulations to ensure that our food is safe, our air and water are clean, our transportation system and infrastructure are sound, and that our financial transactions are secure, among other things. However, this administration has issued more than 10,000 regulations to date, including 106 major new regulations imposing \$46 billion in additional costs that are being paid for by the American people. This means more rules, more bureaucrats, bigger government, and less freedom.

Most troubling to me is that we were founded as a constitutional Republic, governed by the rule of law. But there are those in Washington who think we should be a Nation governed by the law of rules, where the President and his bureaucratic agencies make up the rules. This represents a fundamental break from our history and traditions dating back to our Founding Fathers. Our Founders placed their trust in the American people to elect their representatives to make the laws necessary to allow Americans to prosper.

Mr. Speaker, I ask the American people to consider America's government is getting too big and too out of control.

As members of the House, we serve at the pleasure of those we represent. The tens of thousands of bureaucrats implementing the more than 10,000 new regulations are accountable to no one, let alone the American people.

Those that will be making health care decisions for the American people on the Independent Payment Advisory Board, IPAB, will never appear on a ballot. The American people will never be able to hire or fire those making medical decisions on their behalf. Is that fair? Is that democratic? Is that what America is all about?

Mr. Speaker, this need not be a partisan issue. The American people deserve an effective, efficient Federal Government—a government that works for them and not the other way around.

I fear that as the government continues to grow and Obamacare is fully implemented, the consequences of transferring so much power, national treasure, and control to the Federal Government will be felt widely, personally, and painfully.

In the meantime, it is the duty of this Congress to vigorously oversee the Federal agencies, and root out those political appointees and bureaucrats who've abused their positions and violated the trust of the American people.

#### SAFETY NEEDS OF CHILDREN AS A NATIONAL PRIORITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, in the wake of the horrific tragedy in Newtown, Connecticut, where 20 children were murdered, the issue of keeping children safe has been on the minds of all Americans. Since this tragedy occurred in a school, districts and States have, understandably, focused conversations on preventing and responding to violent crime that occurs in the school building itself. However, protecting children will require much more than preventing an outside intruder from committing acts of violence against students or a good emergency response plan to deal with an event. We need to recognize that violence—or the fear of violence—against children does not begin or end at the schoolhouse door. That's why I've devoted this month to introduce legislation that focuses on the safety needs of children as a national priority.

First, I introduced legislation to establish the minimum safety standards to prevent abusive seclusion and restraint practices in schools across the country. The Keeping All Students Safe Act would protect schoolchildren from inappropriate uses of seclusion and restraints and provide school personnel with the necessary tools, training, and support to ensure the safety of all students and school personnel. These practices are, at best, cruel and, at worst, deadly. They continue to be used on children across the country.

In Indiana, an 8-year-old girl with Down syndrome had her shoes duct-taped painfully to her ankles because she refused to put her shoes on. In North Carolina, a 14-year-old boy with a traumatic brain injury was confined inside a cardboard box as a form of timeout. In some cases, children have even died from improper restraints and

seclusion. My bill also would stop these abusive practices, but safety shouldn't stop at the schoolhouse door.

Investigations conducted by the Government Accountability Office, at my request, in 2007 and 2008 found that private and public residential programs, including therapeutic boarding schools, wilderness camps, boot camps, and behavior modification facilities are not always run in a safe manner. Recently, the Tampa Bay Times confirmed that problems of abuse and neglect continue, with stories of children being bruised, bloodied, and choked into unconsciousness at these programs, all in the name of discipline. More horrific stories of child abuse, including deaths in some cases, have been documented in seven States' residential programs in just the past 2 years.

Last week, I introduced the Stop Child Abuse in Residential Programs for Teens Act, a bill that would set basic health and safety standards the State would need to adopt to enforce and protect teens from physical, mental, and sexual abuse in these programs. It would also create easily accessible information for parents about the safety records of the programs so that parents can make sound decisions about if they want to send their child there or not.

No one disputes that our schools and residential programs must be a safe place for children where they can focus on learning and improving their lives, not fearing for their lives. Though some States have made progress developing policies to protect children from acts of violence, abuse, and neglect, a patchwork of protections, riddled with holes, is not acceptable when it comes to our Nation's children. We cannot sit idly by as incidents of children being abused or killed continues to occur.

Today, I'm introducing legislation that will prevent registered sex offenders and criminals convicted of crimes against children from working at schools. The Protecting Students from Sexual and Violent Predators Act would require public schools to conduct comprehensive background checks on any employee, using State criminal and child abuse registries and the FBI's fingerprint database. It would also prohibit school districts from hiring or retaining anyone who has been convicted of certain violent crimes, including crimes against children, crimes involving rape or sexual assault, and child pornography.

□ 1020

Mr. Speaker, keeping our children safe isn't a partisan issue; it's a moral obligation. This Congress must do more to protect our children. One way Congress can immediately help to ensure that students and schools have the support needed to address all aspects of violence is through the reauthorization of the Elementary and Secondary Education Act. Through a bipartisan rewrite of the Nation's education law, we can ensure that schools and students

have the necessary support to provide key nonacademic services essential for students to succeed in a safe and healthy learning environment.

In the Elementary and Secondary Education Act, Democrats will be fighting for these critical services, including other measures to promote safety, such as school services for violence prevention activities, bullying and harassment prevention, drug and alcohol abuse prevention, and programs to prepare for and respond to natural disasters and emergencies in our schools.

Mr. Speaker, on my last point, my thoughts continue to be with the victims and families of all those who have suffered and continue to suffer from the terrible tragedy that took place in Oklahoma earlier this week. We are just amazed and honor all of the efforts of school staff, teachers, and parents trying to get children out of harm's way, and our heart goes out to those who were unsuccessful. I hope that Congress can support these communities in healing in every possible way. As always, keeping kids safe requires the coordinated efforts of children, principals, superintendents, community partners, and parents.

And protecting children from violence and freeing students to learn and better their lives means ensuring that states, districts, schools and communities have the resources and supports needed to implement evidence-based approaches that are tailored to the unique needs of children in that area.

My bills are only part of the solution, but an important step forward.

We owe it to parents and to the children and to the school officials who follow the rules to consider these bills.

We also owe it to them to send a strong message that people who abuse children or do not do their jobs to keep children safe will face serious consequences.

I hope that this Congress will be able to take an even more comprehensive approach to protect children in our schools and residential programs, and I urge all of my colleagues to support these bills.

#### NORTHERN ROUTE APPROVAL ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Dakota (Mr. CRAMER) for 5 minutes.

Mr. CRAMER. Mr. Speaker, this week, the House of Representatives is going to vote on a very important piece of legislation that should be unnecessary.

Due to the President's objection—at the insistence of Hollywood and the EPA—a critical piece of North America's energy security puzzle languishes on a desk in the Oval Office while thousands of unemployed workers collect government benefits instead of a paycheck. That is why I cosponsored and am doing all I can to pass H.R. 3, the Keystone pipeline Northern Route Approval Act, a bill that renders the northern route of the pipeline approved for construction, eliminating the need for a Presidential permit.

As vast reserves of oil are discovered and new technologies unlocked, energy security in this decade is well within our reach. The amount of oil that could be flowing to U.S. refineries in the Keystone XL represents nearly 50 percent of the oil that we currently import from the Middle East.

Mr. Speaker, in addition to sitting on two of the subcommittees that held hearings on this legislation, I have a long history of involvement with TransCanada and the Keystone pipeline as a former environmental regulator in North Dakota. From 2003 until my election to Congress last year, I carried the pipeline portfolio as one of three members of the North Dakota Public Service Commission.

As you might imagine, the oil and gas pipeline construction business is robust in my State, as the Bakken shale development has elevated North Dakota to the position of the number two producing State in the country.

One of the pipelines we sited while I was on the PSC was the original TransCanada Keystone pipeline. It carries over 500,000 barrels of crude from the Western Canadian Sedimentary Basin in Alberta to U.S. refineries in Illinois and Oklahoma.

The first 217 miles of this pipeline actually run through our State. It crosses the border in Cavalier County, North Dakota, and runs through seven more counties, crossing 600 landowners' land, two scenic rivers, and includes five pumping stations.

While not universally loved, I can tell you that not a single inch of this line in North Dakota required condemnation proceedings—not because I was such a great regulator, but because I represent such great citizens. Our citizens understand the value of energy security and the jobs that energy development creates, and that same sentiment exists in our Nation today.

The environmental safeguards we demanded on the Keystone are rigorous and appropriate. They've been tested and they work.

I toured the Keystone during construction and met many of the men and women, who were grateful for the good-paying jobs that built the line, and many other local restaurant and hotel proprietors, retailers, subcontractors who were happy to have the work and the business. The local officials and school administrators are grateful for the tax revenue that would not be there but for the Keystone pipeline, and, of course, the tax relief it provides local farmers, in addition to the easement payments, are a blessing.

Mr. Speaker, I've sited hundreds, maybe thousands of miles of oil pipelines that operate safely and efficiently throughout North Dakota, but none as thoroughly vetted and safe as the Keystone XL.

I've heard the arguments from my friends across the aisle who claim the Keystone only helps Canada and does nothing to the benefit of the United States. They also claim that the car-

bon footprint is too great. The fact of the matter is the Keystone has already signed up over 60,000 barrels of North Dakota crude and has the capacity for at least 100,000 barrels.

Today, 71 percent of North Dakota crude is shipped by rail. Now, I have nothing against trains, but rail oil costs more and is not as safe as pipelines. It also requires trucks to get the oil to the train.

According to the director of the North Dakota Department of Mineral Resources, Lynn Helms, approval of the Keystone XL will cause two things to happen: 300 to 500 truckloads per day will be taken off North Dakota highways, and there will be one to two fewer trains leaving the State. He calculates that greenhouse gas emissions from rail are 1.8 times and trucks 2.9 times greater than the emissions from pipeline transportation, and spills from truck transportation occur at three to four times the rate of spills from pipelines.

Approval of the Keystone will result in 450,000 to 950,000 kilograms per day less in greenhouse gas emissions in North Dakota alone, as well as significant decreases in dust, and 60 to 80 fewer spills per year.

North Dakota officials also expect highway fatalities will be reduced by three to six per year, and injury crashes by 85 to 150 annually if the Keystone XL is built.

Mr. Speaker, America's national security and America's economic security are tied directly to America's energy security, and the Keystone XL pipeline is a critical weapon in that security.

#### END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I rise today for the 12th time this year to talk about the need to end hunger now.

I am honored to serve on the House Agriculture Committee, and last week the committee held a markup on H.R. 1947, the farm bill. I believe we need a farm bill that contains a smart, forward-thinking policy, a farm bill that ensures that farmers are able to make a living, a farm bill that benefits the American economy, a farm bill that ensures that the food grown in America makes it to the plates of every American, and a farm bill that isn't rife with fraud, waste, and abuse.

The good news, Mr. Speaker, is that a component of that smart, forward-thinking policy already exists. It's called SNAP. This program ensures that 47 million people out of the 50 million hungry in this country are able to put at least some food on their tables when they otherwise couldn't do so. This program ensures that the food grown on our farms makes it to every American's table, not just the wealthy few.

SNAP provides an economic catalyst because the SNAP benefit is spent in our local grocery stores and farmers' markets, generating jobs and revenue. Indeed, every SNAP dollar results in \$1.72 in economic activity—an amazing return on our investment. And SNAP has one of the lowest error rates of any Federal program.

But H.R. 1947 would undermine all of this. It cuts \$20.5 billion from the program. That cut means that 2 million people would be kicked off of SNAP entirely. It means that 210,000 kids would be kicked off the free school meal program. It means that 850,000 people will see their SNAP benefits cut by \$90 a month, and this is on top of a \$25 a month cut for a family of four that will already take effect in November no matter what happens to the farm bill.

You know, there was a time not so long ago when solving the problem of hunger in America was a bipartisan priority. Former Senators George McGovern and Bob Dole worked tirelessly in the 1970s to make America hunger-free. Their partnership brought us to the point where we nearly eradicated hunger altogether. And I will insert at the end of my remarks an op-ed from yesterday's New York Times highlighting this bipartisan work.

Mr. Speaker, the problem today is that it has become far too fashionable in this House of Representatives to beat up on the poor. In fact, there is now a bipartisan effort to cut hunger programs. I'm sad to say that even some Democrats are willing to support this farm bill, even with these terrible SNAP cuts. Instead of moving forward together, we are moving backward.

Mr. Speaker, the farm bill, with these SNAP cuts, is a bad piece of legislation. It's bad policy. It deserves to be defeated. Whatever good may be in this bill—from increased access to organic foods, to more humane treatment for animals, to increased job creation in agriculture—it is not an understatement to say that this bill will make hunger worse in America.

For the life of me, I do not understand why we should be forced to choose between cutting access to food and providing jobs for our ailing economy. We can and we should achieve the joint mission of ending hunger now and creating jobs together. They are very much connected and should not be pitted against each other. But that's exactly what the farm bill would do—to the tune of \$20.5 billion.

□ 1030

We should end hunger now, not make hunger worse. We need a comprehensive effort to end hunger now. We need Presidential leadership. We need a White House Conference on Food and Nutrition. And we need a Congress determined to address hunger in America and bring it to an end, not make it worse.

Hunger in America is a political condition. Nothing demonstrates that more than this farm bill. We have

enough food to end hunger now; we just don't have the political will to do so. This effort to cut SNAP—to make hunger worse—must not stand.

I hope my colleagues will join me in restoring these senseless cuts. Should that effort fail, I hope my colleagues will join me in defeating the farm bill when it is considered on the House floor. We can and we must do better.

[From The New York Times, May 20, 2013]

THERE WAS A TIME WHEN ENDING HUNGER WAS A NATIONAL GOAL FOR REPUBLICANS AND DEMOCRATS

(By Dorothy Samuels)

"That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable." So declared Richard Nixon in May 1969 in his now widely forgotten "Special Message to the Congress Recommending a Program to End Hunger in America." In that document, he summoned the country to a new level of generosity and concern and laid out a series of strong legislative steps and executive actions, including a significant expansion of the food-stamps program.

While campaigning for the White House in 1968, Mr. Nixon did not focus on the existence of a serious hunger problem. His conversion came as public calls to do something about hunger rose—driven, in part, by Senator Robert Kennedy's highly publicized trip to Mississippi in 1967 where he encountered nearly starving children and the Rev. Dr. Martin Luther King Jr.'s focus on hunger as part of the Poor People's Campaign.

During the '70s, another Republican leader, Senator Bob Dole of Kansas, forged a partnership with George McGovern, the South Dakota Democrat defeated by Mr. Nixon in 1972. They helped pass legislation to improve the accessibility and antifraud provisions of the food-stamps program. For example, it eliminated a requirement that recipients buy food-stamp coupons, a prohibitive burden for the lowest-income Americans.

That kind of dedicated bipartisan commitment to ending hunger was light-years ago in American politics—before President Ronald Reagan and, later, Speaker Newt Gingrich made attacking food stamps a prime Republican obsession, and certainly before moderate Republicans, a disappearing breed, lived in fear of making any move that might provoke a primary challenge from a Tea Party-supported candidate. The modern food-stamps program, built with Republican and Democratic support, succeeded in eliminating the most extreme pockets of hunger in parts of the country.

Today, the program remains an immensely important source of support for low-income families and children living below or near the poverty line. Still, some 50 million Americans live in households that cannot consistently afford enough food, even with the food-stamps program, now formally called the Supplemental Nutrition Assistance Program, or SNAP.

Come November, temporary increases for food-stamp aid approved in the 2009 economic recovery act are scheduled to expire, which would result in a loss of about \$25 in monthly food stamps for a family of four. If anything, Washington should be allocating more money to address tremendous unmet needs.

Yet, every Republican on the House Agriculture Committee voted to approve an omnibus farm bill containing a \$20 billion cut in food stamps over the next decade in the program's \$800 billion or so 10-year budget. While less devastating than turning the program into a capped block grant to the states,

which the House Republicans have previously endorsed, the cut is nearly five times the reduction approved by the Democratic-controlled Senate Agriculture Committee, which already is too much.

The House bill's cuts would end food-stamp assistance for nearly two million people, with the pain falling mainly on low-income working families with kids and older Americans, according to the Center on Budget and Policy Priorities. And as many as 210,000 children would lose access to free school lunches and breakfasts because eligibility for those meals is tied to their family's receipt of food-stamp benefits.

"It is just not right," said Representative Jim McGovern, a Massachusetts Democrat (no relation to George McGovern) before his amendment to strike the cut was defeated. Not a single Republican voted to approve it.

#### A MORE SECURE ENERGY FUTURE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, again and again we have heard from this President and this administration that we need to embrace an "all-of-the-above" approach when it comes to meeting and supplying our country's energy needs. At the end of the day, this has simply turned into a "none-of-the-above" strategy of failure by this administration.

Mr. Speaker, this is not complicated. Approving construction of the Keystone XL pipeline is the first and easiest step that we can take in order to embrace our energy future immediately, build jobs, and gain economic security.

The application to build the Keystone XL pipeline has been gaining dust at the U.S. State Department for more than 4 years awaiting approval. Each subsequent day that decision isn't made further denies this country greater energy security and the creation of over half a million jobs by 2035.

By the State Department's own calculations, the number of potential jobs through construction alone stands at over 42,000. With the unemployment rate being above 7.5 percent for 4 of the years that the Presidential permit has been pending, this just economically is irresponsible.

With over 15,500 pages already produced in its National Environmental Policy Act review over the past 4½ years, under the President's schedule, we must still wait for yet another report and even more pages to determine whether construction of the pipeline would be in the "national interest."

At any moment, the President could step in and immediately order approval of the pipeline, yet he continues to sit idly by while more and more people, including a majority of the general public and even members of his own party, come out in support of the XL pipeline.

Mr. Speaker, it is beyond a reasonable doubt that creating thousands of jobs and providing the American people more sources of oil by approving this

infrastructure project that costs the American taxpayers no money is definitely in the national interest. So what are we waiting for?

Today, the House of Representatives will take up H.R. 3, the Northern Route Approval Act, which will approve the Keystone XL construction application without a Presidential permit and let the American people know that we will not wait around any longer. At the end of the day, this crude will find its way to foreign markets one way or another, and construction of this pipeline will guarantee our access to it and help secure energy independence in North America.

Today, the average price for a gallon of gas in America is around \$3.60, which is nearly \$2 more than when President Obama first took office. As the summer driving season approaches, that historically threatens to bring even higher gas prices for American families and businesses. Ensuring that every environmentally safe source of oil is available in order to maintain an adequate domestic supply is absolutely vital.

Because the President, yet again, refuses to act on an issue of such great importance for the Nation, this Congress will lead by sending a clear message to the families of this great Nation that we stand with you, we stand with jobs, and we stand for a more secure energy future here in America.

#### MEMORIAL DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, this week-end throughout America, in cemeteries across the land, we will celebrate and memorialize those men and women who have served, who are serving, and those who have made the ultimate sacrifice in giving their lives to protect our Nation's freedoms embodied in our Constitution and our Bill of Rights that we hold most dear. While Memorial Day is a time when family and friends gather to be together, we know it is much more than that.

This Memorial Day, we should all give thanks to the sacrifices that our men and women have made who have served in our Nation's military. We should say thanks to our family members, to our neighbors, to all those who have served, and we must always, always remember those who are no longer with us. We in our country, I believe, can never say thank you enough, for this great country we live in is made dear for all of those who have made those sacrifices over 238 years.

So this weekend, as we gather across the land to be with our families and friends, let us pay thanks, let us take evidence of what it means to be an American, knowing that at the end of the day the bonds that we share in common as American citizens are much stronger than whatever differences we may have.

God bless those who are serving and those that have served and those who

are no longer with us. God bless our country.

#### CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, last month, two scientists from Oregon State University, Shawn Marcott and Alan Mix, published a peer-reviewed study in collaboration with scientists at Harvard reviewing 11,300 years of global temperatures. They found that the range of temperature change in the last 100 years is equivalent to the temperature change over the previous 100 centuries.

Climate change is real, it is devastating, and it is accelerating. Most focus is on the terrestrial effects. Other research points to rapid and devastating changes in our oceans—again, a study done by Oregon State University.

Burke Hales, an OSU chemical oceanographer, coauthor with Alan Barton, who works at the Whiskey Creek Shellfish Hatchery, looked into the fact that oysters were failing at an incredible rate to spawn and reproduce. Their study linked the production failures to the CO<sub>2</sub> levels in the water. That has incredible implications for the future of not only the shellfish industry, an important industry in the Northwest and other parts of the country, but also for the whole ocean food chain.

The ocean chemistry is also threatening something called pteropods, who are tiny sea snails, and they're very much at risk. They happen to be a food source for zooplankton, whales, and of course our salmon, who already have a host of problems in terms of their future.

Then from the Arctic Monitoring and Assessment Programme, the Arctic seas are becoming rapidly more acidified. It turns out that cold water is especially susceptible, and as the sea ice in the summer recedes, more and more of the Arctic Ocean is exposed to the increased levels of carbon dioxide, and it is rapidly acidifying, in addition to which the melting of the ice in Greenland and elsewhere is adding fresh water, which further degrades the capabilities of the oceans to deal with the carbon dioxide.

Finally, research in the Northeast shows that the surface temperatures in the northeast Continental Shelf in 2012 were the highest recorded in 150 years of record-keeping. They found that over the last four decades many species of fish stocks have been moving north to escape the warming waters, but there are many species that cannot move or evolve that rapidly, which portends for more disasters.

□ 1040

Back in 1973, there was a science fiction movie called "Soylent Green," sort of a mystery movie, but it was about an overpopulated and polluted

world, and the final devastating blow was that the oceans were dying. Now we have evidence that our oceans are very, very much at risk from CO<sub>2</sub> and climate change.

The House Republicans are using their leadership here to stymie efforts to even research and document climate change, let alone just totally denying that it's a problem. Time and time again, they voted to know nothing and do nothing about climate change. They voted to block action on climate change no fewer than 50 times in the last Congress.

Mr. Speaker, it's time to listen to the scientists and get serious about climate change. The evidence is in. The only question now is whether Congress will listen and act.

#### JOBS AND SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for 5 minutes.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to talk about jobs.

I've served almost 5 months in the Republican-controlled House of Representatives, and I've heard a lot of my colleagues talk about jobs, but we've had little opportunity to actually vote on legislation that would create American jobs.

Just this week, the Albuquerque Journal reported on the unbelievable difficulty that many New Mexicans are having in finding a job. The headline says it all. According to the article, when the Downs Racetrack and Casino in Albuquerque held a job fair last week to fill 400 openings, 6,400 job seekers showed up.

One young man interviewed said, "I've put in 60 applications in the year I've been unemployed and haven't had a single callback."

Another job seeker noted, "This is the first time in my life, in 49 years, I've been without a job. You read about it, you think about it, and then when it happens it's a real awakening."

But instead of creating an environment that would foster economic growth, Congress has done the exact opposite by allowing the indiscriminate, across-the-board budget cuts, known as "sequestration," to take effect. According to the Director of the nonpartisan Congressional Budget Office, sequestration could result in a loss of 750,000 American jobs this year alone.

If there is one State that cannot afford to lose any more jobs, it's New Mexico. Our State's economy has been barely crawling along since the Great Recession of 2008. Last week, however, we finally got some good news. New Mexico's Department of Workforce Solutions reported that our State's employment growth in April was the best it has been in 5 years. A Department of Workforce Solutions official said, in fact, "The economic recovery in New

Mexico may be gathering momentum as we start a sustained recovery."

Now, just as New Mexico finally appears to be on the way to the economic recovery our families and businesses so desperately need, the sequester threatens all of this progress; and this week, New Mexico got some really bad news. The Department of Defense announced plans Tuesday to furlough about 680,000 of its civilian employees, including 7,000 New Mexicans, for 11 days through the end of this fiscal year. Some might think that 11 days doesn't sound like much, but let's take a closer look at what 11 days without pay means to individual families.

When furlough notices begin going out at the end of this month, 7,000 hardworking New Mexicans will find out that they will be losing about 20 percent of their salaries for the rest of the fiscal year. Now, these families are trying to pay their mortgages, make their car payments, and put their kids through college. Families are already living paycheck to paycheck and are struggling just to get by. Can you imagine what losing 20 percent of a paycheck means to them? It's devastating. Although New Mexicans may feel the worst of the consequences of the sequester this year, sequester is not just a 1-year problem. It will negatively impact our Nation's economy for the next 9 fiscal years.

We all agree we need to reduce our long-term deficit, but we need a balanced approach that will create jobs. On May 14, the CBO released new projections that the deficit will fall by an extra \$200 billion this year than previously expected. The CBO now forecasts that the deficit will shrink to 2.1 percent of the GDP by 2015 from a high of 10 percent of GDP in 2009. The International Monetary Fund has called the pace of deficit reduction "overly strong," arguing that Washington should focus on job creation in the short term and develop a long-term strategy for future deficit reduction. The IMF added that this year's \$85 billion in sequester-mandated cuts will negatively impact growth this year and beyond.

It's true that you can't tax your way to prosperity, but you can't cut your way to prosperity either, and draconian, across-the-board budget cuts aren't going to create jobs. I agree with those who say we need to get our fiscal house in order, but to do that we first need to solve the unemployment problem that is plaguing small towns and big cities throughout the Nation. More than half of the deficit stems from a sluggish economy and an unemployment rate that is above 7 percent.

Mr. Speaker, we need more Americans to get back to work. We need more Americans to get back to work so that fewer Americans will need to rely on social safety net programs in order to survive. We need more Americans to get back to work so that they will have more money to spend on goods and services, which will create even more jobs.



It has become clear that the House Republicans' so-called "plan" to create jobs was just empty rhetoric, a hollow promise to the American people. If House Republicans were serious about creating jobs, they would vote on the updated Van Hollen substitute—a real plan to replace the sequester with a sensible, balanced approach to deficit reduction that puts job creation first.

IN MEMORY OF ALMERINDO "AL"  
CARVALHEIRA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize the passing of Almerindo "Al" Carvalho, a Vietnam veteran who lived an extraordinary life of service to his country and to his fellow veterans. Al succumbed to cancer on January 21, 2013, at the Veterans Affairs Medical Center in Northport, New York.

Al was born on October 21, 1947, in Portugal. His family immigrated to the United States when he was 10 years old and settled in Nesconset, New York. Al proudly served his country in the United States Army during the Vietnam War and received numerous awards and decorations, including two Purple Hearts, the Bronze Star Medal, and the Air Medal.

Honorably discharged with the rank of sergeant in December of 1969, Al returned to his home on Long Island where he pursued a career in nursing and was hired by the Northport VA Medical Center in 1977. There he dedicated himself to the care and treatment of his fellow veterans as a VA registered nurse and nurse leader for nearly four decades.

Al was known as a highly effective and empathetic caregiver who was never too busy to spend time with his patients, especially the most challenging among them. His own experience gave him a unique understanding of what his patients had endured in combat. In discussions with them, he often cited his favorite book, "The Things They Carried," written by fellow Vietnam veteran Tim O'Brien.

Soon after the start of his career at the VA medical center, Al was promoted to nurse manager, which gave him the supervision of all inpatient psychiatric units and the outpatient treatment program. In addition to these significant responsibilities, Al trained and developed staff in crisis intervention and implemented a crisis response team for the safety of VA patients and staff. In order to provide veterans the best care possible, Al found the time to earn a master's degree in nursing from Stony Brook University.

Dear to Al's heart was the Suffolk County, New York, chapter of the Vietnam Veterans of America, to which he devoted 38 years of service, working day in and day out taking care of "his boys," advocating for the needs of all

veterans and raising awareness of the contributions and sacrifices made by our Nation's veterans and their families.

In May of 2009, I had the great pleasure of working with Al and his friends and fellow Vietnam veterans Richie Kitson and Clarence Simpson to rename the Riverhead, New York, Post Office in honor of Suffolk County's only Vietnam War Congressional Medal of Honor recipient, PFC Garfield M. Langhorn.

That same year, Al took the lead in the construction and dedication of the Vietnam Veterans Memorial Garden on the grounds of the Northport VA Medical Center, which recognizes and honors the sacrifices of our Nation's servicemen and -women. The memorial garden's dedication ceremony was held in October 2010 and was attended by more than 300 people.

In 2011, Al and members of the VVA were inspired by Dignity Memorial's replica of the Vietnam Veterans Memorial Wall to expand the Northport VA Medical Center's Vietnam Veterans Memorial Garden for the inclusion of a permanent war memorial known as The Wall of Wars.

□ 1050

It was during this time that Al was diagnosed with cancer. Although Al will not be present at the VA's Veterans Day dedication of the The Wall of Wars, his legacy as a war hero, a VA nurse, and a veterans advocate is and will be forever present on the grounds of the Northport VA Medical Center and throughout Suffolk County's veteran community.

On January 25, 2013, Vietnam veteran and U.S. Army Sergeant Al Carvalho was laid to rest with military honors at Long Island's Calverton National Cemetery. Al is survived by his beloved wife of 40 years, Geraldine, and their two sons, Almerindo and John, as well as six grandchildren.

Mr. Speaker, on behalf of New York's First Congressional District and a grateful Nation, it is my honor and privilege to recognize Almerindo "Al" Carvalho for his distinguished service and many contributions to our Nation and his fellow veterans. He will always be remembered with our love and appreciation.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, recently research has shown that fish populations are not waiting for climate change to make their habitat impossible for them to live. They're moving. That's right: fish all over the globe are migrating to cooler climates.

In a process that's been taking place for decades now, fish are sorting themselves out and leaving areas that no longer sustain their quality of life,

their ability to reproduce and to thrive. They've steadily been moving to areas where the effects of climate change are not so pronounced.

Isn't it interesting that fish, without fancy scientific instrumentation or computer analysis, have reacted to the facts in the sea and moved where they can function, where they can live and where they can, at least for the time being, escape the impacts of climate change?

They're also escaping from people who depend on them in their previous habitat to fish, but that's another story on the consequences of climate change and global warming.

Isn't it time that the political process starts responding in ways that even fish can? One would hope. But, instead, today on the floor of the House, we're going to return to debate the Keystone pipeline that would carry oil extracted from Canada's tar sands to the U.S. gulf and short circuit Presidential review.

Given the potential negative environmental impacts, the repeated efforts by some to rush the environmental and public safety review process, the overwhelming number of comments and concerns received from the public and the recent news about the atmospheric levels of carbon dioxide that have reached 400 parts per million, an amount not seen in at least 3 million years, I'm concerned that this sideshow over the Keystone pipeline will make our climate problem worse, rather than better, and poison the ability to make progress in the future.

The simple fact is that this pipeline would facilitate the exploitation of one of the dirtiest sources of energy—tar sands oil—that poses public, safety, and health risks.

In addition to possible worsening of the effects of global climate change, there are serious questions that remain about pipeline safety, spill prevention, and protecting the public from potential health impacts in the wake of the spills that are inevitable.

Tar sand developers are amazingly exempt from paying into the oil spill liability trust fund, making American taxpayers liable for the cost of any spills from the Canadian tar sands oil. This places, I think, an unacceptable and unnecessary risk on American taxpayers, one that we can ill afford to assume today.

This will be the seventh time that we voted and that I will vote against proposals to streamline the building of the Keystone pipeline as some Members of the House continually and repeatedly attempt to circumvent the legislative process and rush its proposal.

The only positive of this project is creating several thousand temporary construction jobs and a few dozen permanent jobs. That's no reason to short circuit the review required by law.

The potential environmental harm done by the pipeline—both from the threat of oil spills to the precious aquifer that it will be passing over and because tar sands emit three times more

global warming pollution than conventional oil—has led me to the conclusion that I hope President Obama does not approve the pipeline.

There are many things we should be doing to rebuild and renew America and create millions of jobs, not a few thousand temporary construction jobs. We ought to be looking at different approaches to revenue and dealing with carbon pollution. For instance, we are discussing a draft that would potentially tax carbon emissions dealing directly with the problem, help provide revenues to lower taxes, pay for what America needs and deal with emerging technologies and level the playing field for technologies of the future.

Now, as we watch climate change begin to have serious impacts on our environment, our fish, our wildlife population, and our seasons and the weather, the least we can do is stop actions that may well make climate change worse.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 56 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Dr. Ken Whitten, Idlewild Baptist Church, Lutz, Florida, offered the following prayer:

Dear Father in Heaven,

Our heads are bowed because that is the position of humility, a spiritual characteristic that Your Word says brings grace. We fold our hands to express godly fear because You said, "The fear of the Lord is the beginning of wisdom." And we all recognize that is the need of this hour and this day.

Our hearts, Lord, break with the families in Moore, Oklahoma. The loss and devastation leave us speechless, but it is in these heart-wrenching days we find ourselves saying that we are not Republicans, Democrats, or Independents; we are one Nation in need of grace, healing, and salvation.

We pray that the decisions made in this Chamber today will reflect Your heart, a heart for the broken, the bruised, the abused, and the abandoned.

May You help us today to think more about the spiritual than the economical, more about the eternal than the temporal; and Lord, may we echo that Puritan prayer of old:

What we know not, teach us.

What we have not, give us.

What we are not, make us.

In Jesus' wonderful name we pray.  
Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. OLSON) come forward and lead the House in the Pledge of Allegiance.

Mr. OLSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING DR. KEN WHITTEN

The SPEAKER. Without objection, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 1 minute.

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I rise today to welcome Pastor Ken Whitten before the House of Representatives.

Pastor Whitten serves as the senior pastor at Lutz, Florida's, Idlewild Baptist Church, which has served the Tampa Bay community for almost 80 years.

While originally based out of an old garage building, today it serves a congregation of more than 12,000 members on a 143-acre campus.

Under Pastor Whitten's leadership, the Idlewild family has placed a focus on both local and global missions, a biblical guidance ministry, instructional classes for those who seek to grow spiritually, and activities and ministries for all ages.

Pastor Whitten is a pillar of our community and has guided tens of thousands of people as they develop and grow their personal relationship with the Lord.

Mr. Speaker, I welcome Pastor Whitten to our Nation's capital.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FOXX). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

#### EXPLOSIVE ORDNANCE DISPOSAL MEMORIAL

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAWFORD. Madam Speaker, earlier this month, I visited the Explosive Ordnance Disposal Memorial on

Eglin Air Force Base in Florida. The memorial wall is located across from the EOD school where men and women from every branch are trained in the elite and specialized skills necessary to locate, identify, render safe, recover, evaluate, and dispose of explosives.

As former Army EOD, I understand the critical role our EOD forces play as the key enablers in the ongoing war on IEDs both at home and abroad. I also understand the omnipresent danger that our EOD warriors face in the battlefield and on civil support missions here in the United States.

The memorial wall contains the names of the brave men and women of the EOD who have given their lives in defense of our freedom. The memorial wall does an excellent job of recognizing the incredible sacrifice that our EOD forces and all of our men and women in uniform make every day on behalf of our freedom.

I would like to take a moment to honor the EOD warriors who lost their lives in the line of duty between World War II and Vietnam but are not recognized on the EOD memorial wall. These men and women served valiantly and lost their lives in the line of duty, but are not included on the memorial wall because they were not physically assigned to an EOD unit at the time of their death. These brave warriors lost their lives performing EOD duties in support of their fellow soldiers, sailors, airmen, and marines and deserve to be recognized for their service.

With Memorial Day approaching, now is an appropriate time to recognize their sacrifice. I would like to submit their names for inclusion in the CONGRESSIONAL RECORD.

God bless our troops and God bless the United States of America.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair asks all Members to remove communicative badges prior to being recognized.

#### THE HARMFUL EFFECTS OF SEQUESTRATION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, instead of working together to find a compromise to fully reverse the sequester, House Republicans have turned their backs on the American people and are jeopardizing our fragile economy. In fact, sequestration will cost 750,000 jobs this year alone, according to the Congressional Budget Office.

We saw last month how quickly and easily these cuts can be addressed when the Congress passed legislation to address traffic controller furloughs. But we have not been given the opportunity to address the 70,000 children who could lose access to Head Start or any of the



other programs that have been crippled.

Funding for the National Institutes of Health has shrunk by \$1.5 billion, cutting into lifesaving medical research for areas that include breast cancer, heart disease, and Alzheimer's. The cuts from NIH alone will result in a loss of more than 20,000 jobs and \$3 billion in economic activity.

We can address these cuts, but the GOP's obstructionism has stalled all reasonable efforts.

We need to work on an approach that will fix sequestration while reducing our deficit sensibly.

Mr. Speaker, I urge my Republican colleagues to come to the table to compromise, and help find a solution that will keep our economy on track and growing.

#### IS THIS AMERICA?

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Madam Speaker, under the threat of perjury, a Tea Party in Texas' 22nd Congressional District was asked these questions by the IRS:

Have you attempted or will you attempt to influence the outcome of specific legislation?

That activity is protected by the Constitution. Is this America?

Do you directly or indirectly communicate with members of legislative bodies?

That activity is protected by the Constitution. Is this America?

This is not America. House Republicans are going to restore America by giving the people the truth they deserve.

#### GREAT LAKES RESTORATION INITIATIVE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, the Great Lakes Restoration Initiative represents our Nation's commitment to protecting the health of our Great Lakes, the largest source of fresh water in the world, representing \$7 billion in economic activity annually.

In western New York, the revitalization of Buffalo's Inner and Outer Harbor areas depends on efforts to restore the health of Lake Erie and the Buffalo River.

The Environmental Protection Agency will soon host a series of public meetings to gain community input to guide the next phase of Great Lakes restoration, and one of the meetings will be held in Buffalo.

Madam Speaker, the Great Lakes are a unique natural treasure with global significance. The Brookings Institution report shows that for every \$1 invested in Great Lakes restoration, a \$2 return in the form of increased fishing, tourism, and home values is achieved. It is our responsibility to ensure that the restoration initiative is fully funded in

this year's appropriations, and also to be an active partner in protecting and restoring our Great Lakes.

□ 1210

#### KEYSTONE XL PIPELINE

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Madam Speaker, it's a rare occasion when Democrats, Republicans, the President, his supporters, and the public all agree on something. What doesn't make sense is that, while we all agree it's time to build the Keystone pipeline, President Obama has blocked its construction for over 4 years.

The Keystone pipeline would create over 42,000 jobs. It will invest \$7 billion into the U.S. economy, and it will increase U.S. energy security and independence by safely transporting 830,000 barrels of oil per day, which is nearly half of what the U.S. currently imports from unstable, hostile nations.

At a time when gas prices are on the rise and unemployment remains around 8 percent, we cannot afford to delay this project any longer. The President's own Web site says we need an all-out, all-of-the-above energy strategy that develops every available source of American energy.

I would say, Mr. President, you have a lot to worry about currently, so forget about this one, and let the oil flow.

The Keystone project is ready. Congress is ready. The public is ready. Madam Speaker, is the President ready?

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair.

#### HONORING OUR WORLD WAR II MERCHANT MARINERS ACT OF 2013

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Madam Speaker, for over 200 years, the U.S. Merchant Marine has been a pillar in the foundation of our country's national security and economic growth, and so it is fitting that every year on May 22 we celebrate National Maritime Day in recognition of their service and sacrifice across the centuries.

On this day, we reflect on the service of the men and women of the Merchant Marine who served during World War II, many thousands of whom died in delivering the arsenal of democracy over the seas to the battlefields of Europe and the Pacific. Merchant mariners died at a higher rate in World War II than any uniformed service. Unfortunately, the veterans of the Merchant Marine who risked their lives in the service of this Nation and of all freedom-loving nations were never eligible for the provisions of the GI Bill, which helped millions of veterans go to college, secure a home, and transition seamlessly into civilian life.

That's why I have introduced the Honoring Our World War II Merchant Mariners Act of 2013. This bill would provide a \$1,000 monthly benefit to the nearly 10,000 surviving World War II mariners. By providing this modest benefit, we will finally be giving our brave merchant mariners the recognition and benefits they deserve.

#### MEMORIAL DAY

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Madam Speaker, I come to the House floor today to honor all of those who died in fighting for our country. This coming Monday, this Nation will observe Memorial Day, a day set aside to pay tribute to the brave men and women who made the ultimate sacrifice for their country in defense of our freedom.

As Members of Congress, so much of what we do on behalf of our constituents touches the military in some way. Recently, my office secured a new Silver Star Medal for the late John Chase, a World War II veteran from Batavia, New York.

Drafted into the Army, Mr. Chase fought bravely in the Battle of the Rhineland in 1945, a critical victory for the Allied Forces. Last month, as he grew increasingly ill, Mr. Chase's family reached out to my office for help in securing a new medal. In the process, we discovered Mr. Chase also qualified for the Bronze Star, which he had never received. We were able to present the medals to Mr. Chase's family on the day he passed, allowing them to be properly displayed at his funeral.

I want to thank Mr. Chase posthumously for his distinguished service and pay my respects to all Americans killed in wars both present and past.

#### SEQUESTRATION AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to bring awareness to the devastating effects sequestration is having on HUD and those who benefit from the agency's work.

Because of Congress' failure to pass legislation to reduce the deficit, the Federal Government is making across-the-board spending cuts to domestic and defense programs, including HUD and all its related agencies. These cuts are having a profound impact on people, especially in the rental and homeless assistance programs, and families in my district are feeling this firsthand. The housing authorities in my district will soon be forced to consider terminating approximately 1,800 families from housing assistance. Cuts to housing authorities will affect their capacity and their efficiency to serve

low-income individuals and families, the elderly, the disabled—all of whom need these programs to survive.

Our focus in our communities should be to do everything possible to prevent homelessness.

#### KEEP THE IRS OFF YOUR HEALTH CARE ACT

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Madam Speaker, like most Montanans, I was appalled to learn that the IRS had deliberately targeted groups for investigation based on their beliefs. Given these events, it would be senseless to empower the IRS to oversee major aspects of the American health care system. Yet that's what ObamaCare calls for.

That's why I've signed on to the Keep the IRS Off Your Health Care Act, which states that the IRS may not be involved in any aspect of President Obama's health care law. In fact, just last night, I held a tele-town hall meeting with thousands of my fellow Montanans, and more than 90 percent of those who participated agreed that the IRS should be stripped of its power to implement ObamaCare.

The American people have every right to demand that their government be accountable and that their government's actions be driven by a desire to serve the American people, not by political motivation. With the IRS' recent abuse of power, it's sadly clear that stopping the IRS from using its power to oversee Americans' health care is a necessary step.

#### UNIVERSITY OF CALIFORNIA AT IRVINE VOLLEYBALL

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Madam Speaker, I'd like to congratulate the 2013 NCAA men's volleyball championship team from my alma mater, the University of California, Irvine. The UC system is one of the best public college systems in the world, and UC Irvine, through its academics, its research and athletics, continues to make me proud.

The volleyball team recently won its fourth championship in 7 years. It's amazing. Congratulations especially goes to Connor Hughes, the tournament's Most Outstanding Player. He joined Chris Austin, Michael Brinkley, Collin Mehring, and Kevin Tillie on the all-tournament team. Hats off to Coach David Kniffin, who is just the second coach in the 44 years of men's volleyball history to coach a team to the championship in his first season.

You've made us all proud. Go Ant-eaters.

#### ENERGY II

(Mrs. BLACKBURN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. My constituents are asking me this question: What does this administration have against expanding energy production?

More American energy means more American jobs. We all know that that is true. It also would mean lower energy costs, stronger national security, and a boost to our economy, a boost that we badly need with 12 million Americans out of work. Yet the President has seemed to stymie the energy sector at every single turn. We're going to give him the opportunity to change that record as we bring another bill forward that would approve moving forward with the northern route of the Keystone pipeline.

Now, we all know that burdensome overregulation by this administration has caused energy output domestically on our Federal lands to decrease significantly—about 30 percent. It hampers our ability to be productive.

□ 1220

#### DISASTER RELIEF

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. This week, we saw heart-breaking images of devastation following a tornado in Moore, Oklahoma, that is estimated to have been more than a mile wide.

The scope of the disaster reminds us that we're all at the mercy of nature's whims, but it also reinforces a sense of community that we share as Americans. When the final cloud dissipated, Oklahomans were met by friends, neighbors, and Red Cross aid workers ready to help, the same as the victims of Sandy along the Jersey shore and the same as those who weathered the waters of Katrina in the Ninth Ward.

One thing every American can rely on in the face of disaster is that every other American wants to help. Whether we face tornadoes on the Great Plains or earthquakes in Los Angeles, we face them together. Let's make sure these victims get the Federal disaster aid they need on a timely basis. Whether we endure in a red State or a blue State, we are all equally deserving of each other's assistance.

#### KEYSTONE XL PIPELINE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, parents know all too well the sinking feeling that settles in around the kitchen table when it's time to pay bills.

Utilities costs takes up more and more each month and the once-simple task of putting gas in the car has become an act of financial acrobatics.

Heading into a long, hot summer, House Republicans are committed to an all-of-the-above American energy

strategy. If there's more American energy, prices will be more affordable, and there will be more American jobs. Period.

Who would stand in the way of that? Apparently, President Obama.

The President continues to play favorites in the energy sector and block domestic energy with onerous regulations. Red tape only makes it harder to capitalize on economic-growth opportunities and harder to achieve energy independence.

If the President were just to sign off on the Keystone XL pipeline today, he'd open up thousands of American jobs, but for 5 years he has refused.

House Republicans are serious about expanding energy production. It's time the President got serious, too.

#### JOHN LAIRD, THE HARVEY MILK CHAMPIONS OF CHANGE AWARD RECIPIENT

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, I rise today to acknowledge and congratulate John Laird, a constituent of mine in Santa Cruz, California.

Today, John is being hosted at the White House as one of the 10 persons to be presented the Harvey Milk Champions of Change award.

John Laird is a committed public servant, counting 23 years in elective office and 40 years in public life overall.

He also happens to be gay. John's years of leadership prove that people are people and they have myriad skills to share. Sexual orientation doesn't somehow change that desire to serve others.

Currently, John serves as the California Secretary of Natural Resources where he does an outstanding job of overseeing the State's vast outdoor resources.

Again, I say congratulations to Secretary John Laird for being true to himself and true to his public calling and all of us in the State of California being the ones who benefit from it.

#### KEYSTONE XL PIPELINE

(Mr. MARINO asked and was given permission to address the House for 1 minute.)

Mr. MARINO. Madam Speaker, today I rise in support of the Keystone XL pipeline and urge passage of H.R. 3, the Northern Route Approval Act.

In the 1,700 days that TransCanada has been waiting for approval for Keystone XL, the State Department has issued over 15,000 pages of documents analyzing the project's environmental impact. This administration continues to delay and impede efforts to foster oil and natural gas production under an all-of-the-above energy solution.

Recent advances in technology have put America in the center of a booming

natural gas industry, particularly in my area, the PA 10th District. A NATO Parliamentary Assembly report estimates that our shale will provide gas to supply the United States for the next 90 years at least.

If Americans have access to vast and affordable resources, why are we not utilizing them? The same NATO PA report emphasized that the U.S. could lead the world in oil and natural gas production.

It's time to build. Remove the roadblocks preventing construction of the job-creating, economy-boosting Keystone XL pipeline.

#### THE TUCKERS ON SEQUESTER CUTS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, as the reckless across-the-board cuts in Federal spending known as "sequester" continue, I want to share a letter I received from my constituents, Leslie and Brian Tucker:

After being robbed by our home lender during the mortgage modification fiasco, my wife took a job with Jefferson County Public Schools and turned it into a career. She earned a certificate in childhood development and went to work at Duvalle Learning Center in Early Childhood Education as an assistant. After hard work, she rose to a lead teacher position.

I am a union steel worker with bad insurance. We have three children together—the youngest is 13 months, the oldest is 16 years old. My wife recently was diagnosed with hyperthyroidism and will require an expensive procedure to fix it.

The news of her sequester-caused layoff hit us especially hard, as it seems every time we get ahead a step, something knocks us back down.

Middle class life now requires two incomes. Without my wife's job, we will undoubtedly end up drawing some sort of assistance. If Congress can fix travel delays with the stroke of a pen, then helping my wife and the other teachers in Louisville being laid off should be a walk in the park.

Madam Speaker, I urge my colleagues to listen to the Tuckers and end sequestration.

#### SISTER MONSON

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Madam Speaker, like all Americans, my thoughts and prayers are extended to the people of Oklahoma this day.

I also rise to pay tribute to a modern-day heroine, Mrs. Frances J. Monson, who passed away last week. Frances, the wife of Thomas S. Monson, president of the Church Jesus Christ of Latter-day Saints, led a life full of service, love, and dedication to her family, friends, and her faith.

Her daughter Ann has remarked of Mrs. Monson:

Instead of looking for the recognition of the world, she has always received her recognition of worth from such things as the happy smile of a son or the outstretched hand of a grandchild.

In 1998, she was the recipient of the Continuum of Caring Humanitarian award by the Friends of St. Joseph Villa, but she never asked for a lot of attention. Instead, she turned to serve others with a compassionate and caring attitude. Her life was a shining example of one filled with faith, hope, and charity.

On a very personal note, President and Mrs. Monson have always been a source of inspiration to me and my family. I want to thank them for their great example of Godly love, which has served as a model for more than 14 million Mormons around the world. She will be greatly missed; but her devotion to her faith has touched so many, it will undoubtedly leave a lasting impression upon the world.

#### PAY AS YOU RATE ACT

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Madam Speaker, I rise today to encourage my colleagues to join me as original cosponsors of the Pay As You Rate Act.

The Veterans Administration currently has more than 1 million backlog cases, and 70 percent of these have been under review for more than 125 days. For some veterans like those in southern Nevada, the average time to process a claim is close to 500 days. This is just unacceptable.

The Pay As You Rate Act will ensure that veterans receive at least some of their benefits in a more timely fashion.

Currently, the VA withholds benefit payments to veterans until their entire claim has been reviewed and processed. This is a serious problem, especially for Iraq and Afghanistan veterans whose average claim contains 8.5 separate components.

The Pay As You Rate Act will require the VA to pay veterans benefits as each element of the claim is reviewed rather than waiting until the entire package has been processed. This is a commonsense change which will put money in veterans' pockets sooner and also address the backlog.

□ 1230

#### NATIONAL FOSTER CARE MONTH

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Madam Speaker, I rise today in recognition of National Foster Care Month. All children deserve a safe, loving, and permanent home. Yet more than 400,000 of this Nation's children in foster care are still looking for such a place, a place where safe, supportive, and stable families can help nurture their dreams to reality.

Madam Speaker, our Nation can never forget these amazing young people,

and we should all thank the thousands of caregivers already answering the call and working tirelessly to help these children in need. But together, we must pledge to do more. Despite the best efforts of thousands, many foster youth struggle to find a permanent home. We are a Nation good enough and great enough to answer this call.

#### WHY ISN'T ANYONE TALKING ABOUT THE DEFICIT

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, the mantra for at least 4 years has been the Federal budget deficit, but for some reason, it is now rather quiet. The question we should be asking is: Why?

Could it be because last week the CBO readjusted its projections and has determined that the government's annual deficit is shrinking faster than expected—actually shrinking? The deficit which topped 10 percent of the gross domestic product in 2009 and exceeded \$1 trillion a year is now expected to shrink to \$642 billion this fiscal year. That's \$200 billion lower than expected. The deficit is expected to be 2.1 percent of the GDP by 2015, a rate that is deemed manageable by the CBO. So why aren't we talking about this?

Just so we're clear, the \$200 billion is not due to the sequestration. Shouldn't we be saying something is going right? Could it just be the implementation of the Obama policies may be working? Imagine if we implemented it all.

Mr. Speaker, let's talk about it so the people can clearly hear.

#### RECOGNIZING MEMORIAL DAY

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize the courage and the bravery of those servicemen and -women who have paid the ultimate sacrifice in defense of our most cherished principles.

This Memorial Day, we honor their lives in the name of freedom, and we owe them our deepest respect and gratitude. But even more, we owe them our allegiance to the principles for which they have given so much. We reflect upon these ideals, as we have on this day for the past 145 years.

Service to one's country is a value that has been deeply ingrained in American heritage and—especially in my home State of Georgia—you would be hard-pressed to find someone who did not either personally serve or has a family member or friend who has served.

My home district has recently lost 37 of these unforgettable heroes, and it is in their memory that I would like to give my deepest regards to the servicemembers who have laid down their

lives and the families whose loved ones have been laid to rest for our great Nation.

#### HONORING WOMEN IN MILITARY SERVICE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, again let me offer my deepest concern and sympathy for our fellow Americans in Oklahoma—what an enormous tragedy and devastation—and also our friends in north Texas. America is embracing them, as we should.

But I rise today to acknowledge, as we look toward this coming weekend, and honor those who have fallen in battle, and to be able to celebrate the experience that Members of Congress, women Members of Congress had this morning in commemorating the war memorial for women, and to salute Brigadier General Wilma Vaught, who was the founder and originator, along with Members of Congress, of this historic memorial.

Today, we ascended to Arlington National Cemetery where we placed a wreath in honor of those women. 154 women have fallen in Afghanistan and Iraq. We had the privilege of honoring five women from the five military branches and to, again, pay tribute to those who are willing to sacrifice.

Men and women sacrifice. They are parents. Mothers leave behind their children and families. Families depend upon women in many different ways, and it is greatly an honor to be able to honor those women and to say as well that we will never, ever forget those men and women who have fallen in battle. And we will be there on Memorial Day, as I will be in my Heights location doing a flag ceremony and at the Veterans Cemetery, because this is what America does. We never forget those who fell in battle for us.

#### KEYSTONE XL PIPELINE

(Mr. SOUTHERLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOUTHERLAND. Mr. Speaker, 1,700 days and counting: that's how long it's been since the application to build the Keystone XL pipeline was submitted to the State Department. And with each passing day, every new delay, job creation has been stalled and American energy independence has been pushed to the back burner.

That is why I am pleased to join my colleagues in saying no more roadblocks to American-made energy. No more roadblocks to the 40,000 jobs that will be created during the construction of the Keystone XL pipeline, not to mention the jobs to run and operate it in the future.

The time for the Keystone XL pipeline is now. The time for our energy independence is now. Let's pass this bi-

partisan legislation and get to work for the American people.

#### KEYSTONE XL PIPELINE

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, I would like today to be able to begin with a quote:

We are tired of waiting, and we believe the time has come to make the final decision on one of the most important projects to unlock the energy future for this country, the Keystone XL pipeline.

Mr. Speaker, this quote is not from an energy titan. It comes from Sean McGarvey of the AFL-CIO.

The time has come for America and North America to be able to seek and achieve energy self-sufficiency. This is part of the solution. Americans are tired of not planning for the future. We need to unleash that potential to be able to put our people back to work. The time has come. The time is now. Let's get America back to work. Let's create energy security right here on this continent.

#### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 22, 2013.

Hon. JOHN BOEHNER,  
Speaker, U.S. Capitol,  
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to Section 3 of the Protect Our Kids Act of 2012 (Pub. L. 112-275), I am pleased to appoint Mr. Robert E. "Bud" Cramer of Huntsville, Alabama, to the Commission to Eliminate Child Abuse and Neglect Fatalities.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,  
Democratic Leader.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 22, 2013.

Hon. JOHN A. BOEHNER,  
The Speaker, U.S. Capitol,  
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2013 at 11:08 a.m.:

Appointments:  
Military Compensation and Retirement  
Modernization Commission.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
Clerk.

#### PROVIDING FOR CONSIDERATION OF H.R. 3, NORTHERN ROUTE APPROVAL ACT

Mr. WEBSTER of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 228 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 228

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-11. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1240

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. WEBSTER of Florida. For the purpose of debate only, I yield the customary 30 minutes to my colleague on the Rules Committee, the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I

may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WEBSTER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WEBSTER of Florida. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 228 provides a structured rule for consideration of H.R. 3, the Northern Route Approval Act. The rule makes 10 of the 25 amendments submitted to the Rules Committee in order, nine of which were sponsored by my colleagues on the other side of the aisle, and it provides for a robust debate in the House of Representatives.

The underlying bill was marked up by three committees of jurisdiction, and each committee reported the bill favorably with a bipartisan vote.

Additionally, the U.S. Senate, on March 22, 2013, voted to approve the pipeline by a vote of 62-37.

Mr. Speaker, there are four simple reasons this bill has garnered bipartisan support: it creates American jobs; it increases our energy independence; it strengthens our national security; and it will contribute to lower gas prices.

This bill leads where the President has wavered, and finally approves the northern route of the Keystone XL pipeline, which has been studied for over 1,700 days by 10 Federal agencies and several State environmental agencies.

The U.S. Department of State has issued four environmental impact statements, at a total length of 15,500 pages. These studies prove that the vast majority of the project will not result in a significant environmental impact, and mitigation efforts will be undertaken to reduce any environmental impact.

Additionally, the project includes 57 project-specific special conditions to ensure the maximum level of safety. Due to these conditions, the U.S. State Department's Environmental Impact Statement found that the pipeline will have "a degree of safety over any other typically constructed domestic oil pipeline system."

For 4 long years, multiple studies and well over 15,000 pages of environmental analysis, the administration claims that the XL pipeline still cannot be approved. We all hear the echo of the President chiding Congress with his slogan, "We can't wait."

I would like to ask, Mr. Speaker, if not now, when?

This bill answers that question, and the answer is today. It is clear that this pipeline will create jobs, increase national security, and contribute to lower gas prices. For this reason, H.R.

3 breaks the Presidential logjam and approves this worthwhile project.

On December 23, 2011, both the U.S. House and the Senate unanimously approved, and the President signed into law, a bill that required the President to approve the pipeline unless the President determined that the project did not serve national interests.

On January 18, 2012, the President said "no" to the pipeline, claiming that it did not serve national interests.

By preventing this project from moving forward, he said "no" to 42,100 construction and manufacturing jobs at a time when Americans need work. He said "no" to cheaper gas prices for goods and services which could result in reduced energy cost.

As you know, Mr. Speaker, lower energy costs lead to lower manufacturing and shipping costs which, in turn, contribute to less grocery, gas and utility bills for the average American family.

He said "no" to increased diversification of America's oil supply. He said "no" to reduced dependence on foreign oil. All these benefits this generation could pass on to future generations.

By this inaction, the President said "yes" to more oil from barges from the Middle East. When the pipeline is finalized, it will transfer 830,000 barrels of oil each day, which totals nearly half of our current daily imports from the Middle East.

The President said "yes" to our ally, Canada, taking its business elsewhere, to China, rather than the United States. The oil from the tar sands of Canada will go on the market somewhere, whether we approve the XL pipeline or not. This is our chance to ensure Americans will have the opportunity to benefit from the energy supply, not China.

The State Department acknowledged that the United States would be more secure if we relied more heavily on a non-OPEC source, such as Canada, for our energy needs.

According to the State Department, and I quote:

Non-OPEC Canadian crude oil supplies advance the energy security of the United States, given Canada's close proximity, our free trade agreements, and our close bilateral relationship with a stable democracy.

Canada is a more reliable and cost-efficient source of energy than the foreign oil that we depend on from the Middle East, Africa, and other regions of the world.

For these reasons, Mr. Speaker, I rise in support of this rule and the underlying legislation. The relevant committees of jurisdiction have provided us with a bipartisan bill that will create American jobs, ensure energy independence, increase our national security, and contribute to the lower gas prices.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 min-

utes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to the rule and the underlying bill, the Northern Route Approval Act.

In the words of Yogi Berra, it's déjà vu all over again here in the House of Representatives.

Last week, the House of Representatives repealed the Affordable Care Act for the 37th time. This week, for the eighth time in 2½ years, we're voting yet again on another Keystone pipeline measure that will never become law.

The very decision to sign this law would lie with the same President upon whose desk this decision is currently awaiting approval; and, therefore, this is yet another waste of taxpayer time, taxpayer money, when we have pressing national issues we should be discussing—how to address our budget deficit, how to get our economy moving, how to renew affordable college and low-interest rates for students.

There are so many issues that my constituents are crying out for. Yet another symbolic issue that has nothing to do with whether the Keystone pipeline is approved or not is the last thing we should be spending our time here on the floor of the people's House debating.

Rather than creating a bill that's more viable, instead this bill, by far, is the worst iteration of the bill that we've seen, worst of the eight.

Even my colleagues who support construction of the 875-mile pipeline are having trouble supporting this bill because of its thinly veiled messaging that guts important laws and waives judicial review.

In short, this Northern Route Approval Act is a regulatory earmark, a specific earmark which this House of Representatives has purported to eliminate. Not only is it an earmark; it's an earmark that has a far greater dollar value than any of the earmarks that have been much maligned by Members of both parties and are no longer part of this deliberative body.

At a time where we should be advancing on renewable energy policy, on an all-of-the-above energy policy, this bill would bypass the very system that this Congress has set up under the law for consideration of a project.

□ 1250

This project has nothing to do with gas prices. In the analysis from the Department of State, there is absolutely no indication this would have anything to do with gas prices. This is for the global market. Let's debate it for what it is. Is it a favor to Canada if we do it? Absolutely. Does it have an environmental and health impact on Americans? Absolutely. Weigh the two. Let's look at a cost benefit.

This has nothing to do with lower gas prices. If we want to talk about lower gas prices, let's do it. Let's increase fuel efficiency standards to lower gas prices. Let's look at what we're doing nationally. Let's look at our processing

capacity. Let's look at alternative and public transportation. There's a lot of things we could be doing that actually would reduce gas prices. There is no analysis in the Department of State's thorough vetting of this that this would have any impact on price at the pump. This is 5 to 10 years from now, exporting a majority for the global market.

Instead of voting on this act, there's a number of other great bipartisan bills we could be talking about which would reduce gas prices. Let me give an example.

The Public Lands Renewable Energy Act that I helped coauthor with Representatives Gosar, Thompson, and Heck of Nevada would expand renewable energy development and create jobs while protecting our Nation's public health and environmental resources. And yes, because we expand our renewable energy development portfolio, it would apply downward pressure on gas prices.

This bill is talking about a review process that's already well underway for the Keystone XL pipeline. Congress, itself, set up the process whereby each administration—and the country has the opportunity every 4 years to elect a President. Congress set up the process where each administration has the criteria for approving projects like Keystone. If we don't like the criteria, let's talk about changing those criteria in statute. That's the proper way to do it, not just shortcut the very process that Congress set up.

Until then, we need to keep this process in place. No matter what the administration does, some Members of Congress aren't going to like the outcome; but we establish the ground rules, and the executive branch is administering the law that we created. Rather than interrupting the State Department's review process with this bill, we should allow the Department to take the necessary time to address the impacts, the concerns, the costs, and the benefits of this controversial pipeline.

Although there's many issues that need to be better understood as part of the Keystone XL process, it's critical that we address pipeline safety issues to make sure that tar sands don't spill into our communities. It's not a Republican or Democratic issue. Everybody wants to make sure that America is safe, even if we do a major favor for Canada. There are indications that this pipeline could be more susceptible to oil spills because of the higher pressure that this type of pipeline uses compared to conventional crude. In fact, in the public comment period, many Americans expressed their concern that a spill could impact their property value, their health, their safety, access to clean drinking water, and quality of life. These are the types of things the administration is rightfully weighing in determining the outcome.

While others argue the pipelines are the safest way to transport tar sands

crude oil, the 150,000-gallon oil spill in Mayflower, Arkansas, 2 months ago shows an example about the inadequacy of some of our current pipeline safety regulations. I've heard arguments that the pipeline could create economic benefit. Well, communities like Mayflower certainly won't see the benefits of Keystone when their yards, homes, and businesses are buried in the thick black layer of tar sands crude oil, threatening agriculture and local economic development.

I think that we should make sure that tar sands developers adhere to pipeline safety standards that protect the health of Americans and protect our economy and protect jobs to ensure that any project that goes forward doesn't destroy jobs rather than create them.

To address pipeline safety issues, Mr. TONKO of New York has offered a commonsense amendment. He'll be here to speak about that. It would require the Secretary of Transportation to determine whether current pipeline regulations are sufficient to address the special safety concerns that are particular to transporting tar sands crude oil. Unfortunately, however, this rule, which I strongly oppose, as well as the underlying bill, does not allow for the discussion or even the debate about Mr. TONKO's amendment, which I think is a commonsense requirement.

Since this bill doesn't require the pipeline regulations which were requested by Mr. TONKO, I'm pleased that at least an amendment that I offer with Ms. CHU of California and Mr. CONNOLLY of Virginia was made in order. This amendment would require the Government Accountability Office to evaluate the true cost of a potential spill from the Keystone XL pipeline in our communities. The GAO study would look at the impact of tar sands spills on public health, the environment, and the quantity and quality of water available for agriculture to farmers and to municipalities for drinking.

It's inevitable that the Keystone pipeline will have spills and leaks. That much we know. These spills and leaks are not only costly to clean up—and we need to know and understand those costs—but they also take a toll on our communities. Accidents happen. Understanding the cost of spills is also important because the Keystone pipeline is slated to cross over the Ogallala Aquifer. The Ogallala Aquifer lies beneath 8 States, including my home State of Colorado, and supplies drinking water to about 2 million Americans and supplies 30 percent of the irrigation water for our Nation's farmers.

TransCanada stated that it will provide alternative water supplies to affected communities if an oil spill impacts surface or groundwater. But TransCanada's promise to provide alternative water supplies in case of an oil spill is not enough insurance for millions of Americans who rely on the Ogallala Aquifer for drinking water

and for farming. We simply need more information about the potential impact and the range of impact that an oil spill would have on the Ogallala Aquifer.

Mr. Speaker, even if my colleagues support the President if he chooses to move forward with the Keystone XL pipeline, there are many reasons not to vote for H.R. 3. Rather than ensuring that we have the proper protections in place for our environment and our citizens, the Northern Route Approval Act mandates approval of the pipeline while waiving nearly all other Federal permitting requirements.

It doesn't even allow a discussion of amendments like Mr. TONKO's that were brought forward in good faith that at least deserve 10 minutes on the floor of the House when, by the way, we're debating a bill that's never going to become law, won't be brought up in the Senate, and goes to the very same President for signature who's considering this project. So the least we can do is spend 10 minutes debating Mr. TONKO's meaningful amendment if we're spending time debating everything else that isn't going to become law.

I encourage my colleagues to oppose this rule, support a more open and transparent process here on the floor of the House, and then move forward with legislation that deals with critical national priorities that all of our constituents are calling upon this Congress to act upon.

I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. I thank my friend from Florida.

Mr. Speaker, I rise in support of the rule and the underlying bill. It's very interesting that our colleagues on the other side of the aisle claim that more oil production doesn't affect the price of oil or gasoline. Well, that's the same thing as saying that gravity doesn't exist and the Earth is still flat. Neither one of those are true.

We all know that it's a marketplace, it's a commodity, and the more you produce, the lower the price. How well do I know that? In my own district in Louisiana, we produce more natural gas than we can use, and the price now is so low that we can hardly produce it because of the low reimbursement for the cost. But that will come up over time.

Two cents a gallon in 1 day is how much gasoline prices have recently increased. It has increased 7 cents a gallon just in the last week. It may not sound like much, but the price of gas is going up once again. One headline says, "Gas Prices Spike Ahead of Memorial Day." That's hitting just about every American in the wallet, and yet the President continues to play games with a project that will carry an estimated 830 barrels of oil per day from Canada to the gulf coast for processing.

So what are we waiting for? More studies? This project has been studied



to death. Every State that it would go through has already sent its approval. It's been 1,700 days since TransCanada first applied to the State Department for permission to build the Keystone XL pipeline. TransCanada says pipeline construction will create about 20,000 jobs. And our colleagues on the other side of the aisle say, Why aren't we talking about jobs? Twenty-thousand good-paying jobs, plus lower prices to the consumer.

□ 1300

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. I yield the gentleman 30 seconds.

Mr. FLEMING. I thank the gentleman.

But the Obama administration's State Department has politicized this project and stalled it in order to kowtow to the far-left environmental fringe.

We need the jobs and we need the energy benefits. We need the lower costs for consumers and for manufacturing.

Mr. POLIS. Mr. Speaker, of course quantity affects price—Economics 101. The disconnect here and the failure in the argument from the other side is this quantity is a rounding error in the global supply and the global demand. This has no impact on price. We're not talking about anything that actually moves the bar of reducing gas prices for consumers.

With that, it's my honor to yield 1 minute to my colleague from Michigan (Mr. PETERS).

Mr. PETERS of Michigan. I rise to urge my colleagues to reject this rule and reject H.R. 3.

We've already seen the impact of tar sands oil in my district. Piles of petroleum coke three stories tall and a city block wide are sitting on the banks of the Detroit River. Pet coke, a byproduct of refining tar sands oil, is much dirtier than coal and is often sold to China. In Detroit, it sits uncovered and uncontained, waiting to blow into the air and water. These piles of petroleum coke are a blight on our communities and could pose a threat to the environment and public health.

I offered an amendment to require a study on the environmental impacts of petroleum coke and other byproducts. This amendment was rejected by the Rules Committee despite the study's potential benefits to communities who may become host to their own piles of Pet coke.

The bill—and the rule—is taking us in the wrong direction. Instead of selling dirty energy to China, we should be developing clean energy technology here at home.

For these reasons, I cannot support the rule. And urge my colleagues to reject H.R. 3.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I rise in support of the rule because I think that this illu-

sion of energy independence has, in any case, been postponed by the very actions that work against this rule would represent because we're talking here about 5 years of postponement. And I think to have real energy solutions here in the United States means, first off, using the energy solutions that are represented in this continent.

I think it is by no means a fix, it's by no means a cure—in deference to my colleagues on the other side of the aisle—but it is an important step in the right direction. I think as well it represents a step toward energy independence, which is also about national security.

I think it's a step toward jobs, which are vital in this country and needed at this time—more than 20,000. And I think ultimately it's a pocketbook issue. Where, as you think about driving time coming this summer and the number of people who will be filling up their tanks, this is a step in the right direction toward energy independence, energy security, and ultimately jobs. For that reason, I rise in support of the rule.

Mr. POLIS. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. TONKO), whose amendment under this rule was also shut out from even a debate here on the floor of the House.

Mr. TONKO. I thank the gentleman from Colorado.

I oppose the rule and the underlying legislation.

I submitted two amendments to the committee; I regret that neither was made in order. One—rejected by the Republican majority—would have protected private property owners along the pipeline route from being bullied by TransCanada into giving up their land. The other amendment would have required the Secretary of Transportation to provide assurance that current pipeline safety regulations are sufficient to prevent spills of diluted bitumen. I have represented communities that have been impacted by pipeline explosions. I know the price they pay.

Much of this pipeline is going to cross private lands, not public lands. Protection of private property rights is something we hear a lot about whenever government makes a decision to protect unique and valuable public resources. But apparently, if a foreign company wants to build a pipeline to transport oil for export, private property rights can be sacrificed.

What is the rush? There is existing pipeline capacity to deliver this oil. The tar sands are not going to disappear. Our citizens should receive a fair chance to defend their property in State courts. This legislation deprives them of that opportunity.

Ms. Julia Trigg Crawford testified last month before the Committee on the Judiciary's Subcommittee on the Constitution and Civil Justice in favor of limiting the power of eminent domain and in strong opposition to granting an exemption to TransCanada. I

will include her testimony with my statement. She is only one of a number of landowners who were bullied by TransCanada, and she is now seeking a remedy in State court.

Ms. Crawford and all other property owners who have gone to the courts should have the opportunity to make their cases. If TransCanada wants access to our land, they should follow our laws—laws put in place to safeguard our resources and our rights.

I urge my colleagues to reject this rule and this ill-conceived and unnecessary legislation.

TESTIMONY SUBMITTED TO THE HOUSE JUDICIARY COMMITTEE SUBCOMMITTEE ON THE CONSTITUTION AND CIVIL JUSTICE HEARING ON THE PRIVATE PROPERTY RIGHTS PROTECTION ACT

APRIL 18, 2013.

My name is Julia Trigg Crawford. I am the third-generation manager of the farm my grandfather bought in 1948. As a landowner along TransCanada's conveniently uncoupled Keystone Gulf Coast Project, I absolutely support measures to limit eminent domain. But I strongly oppose an exemption for TransCanada, its Keystone XL, and any other foreign or domestic for-profit entity that cannot provide proof that their projects are for public benefit.

I believe, as do countless others following my family's legal case, that TransCanada has abused the power of eminent domain in taking our land. When another pipeline asked to come across our place, we said we did not want them here and asked they would find a different route through a willing neighbor. That pipeline company did just that—and eminent domain was never mentioned.

When they came knocking in 2008 we told TransCanada the same thing: we don't want a pipeline here, and asked them to find another route. They said no, then exploited a flawed permitting process in Texas, and used eminent domain to take the easement they wanted across our land.

There are a host of reasons why we don't want a pipeline across our property. First, we don't believe a foreign corporation should have more of a right to our land than we do. Secondly, we need to protect its Caddo Indian heritage, specifically the 145 artifacts TransCanada's archeologists recently found within the proposed pipeline easement. How curious that TransCanada and the Texas Historical Commission concur that my entire 30-acre pasture qualifies for National Registry of Historic Places recognition, EXCEPT for the one sliver of land TransCanada must have on our place to connect the two sections of pipeline they've already build adjacent to our land.

We don't want them horizontally drilling under the Bois d'Arc Creek where we have State-given water rights. We irrigate 400 acres of cropland from this creek, and the pipeline would be just a couple hundred yards upstream from our pumps. Any leak from that pipeline would contaminate our equipment, and then our crops in minutes.

Furthermore, the neighbor directly to the west of us owns thousands of acres, and had granted TransCanada an easement anyway. When we politely asked them to seek a way around us, TransCanada could have slightly altered their route and traversed that neighboring land differently, avoiding our property altogether. But instead they just pulled out the club of eminent domain, telling a reporter later it was just too late to make any changes.

As some of you may know, in 2011 the Texas Supreme Court ruled in Denbury

Green that private property rights are far too precious to be taken by simply checking a box on a form. Furthermore, the Supreme Court said that when challenged by a landowner, the burden falls on the pipeline to present reasonable proof it meets the requirements of a common carrier. So we did just that, we asked for the proof.

In challenging TransCanada, we asked them to provide proof they met the qualifications as a common carrier and had the right of eminent domain. And once again they hid behind the skirts of the Texas Railroad Commission, saying in essence, The Railroad Commission believes us, you should too. The embattled Railroad Commission has proven to be nothing more than a rubber stamp, they have never denied anyone common carrier status. So, when we asked for another element of proof, their tariff schedule, TransCanada said in court they would not have that tariff schedule until about the time product started flowing. In other words, they could not produce this particular proof they were entitled to take my land until after my land was condemned, handed over to them, construction was completed and tarsands, the product for which Keystone is being built, was flowing. This is wrong, and is precisely why the Keystone XL should not be granted an exemption from this bill's much needed eminent domain restrictions.

If I read it correctly, this bill's exemptions for pipelines already under construction allow current eminent domain abuses to go unpunished. The bill addresses the problems, and outlines important solutions, yet allows those who exploited the process up until a certain date on a calendar to get off "scot-free". And as someone who has lost part of her family farm to this abuse, that's leaves me, and lots of people like me out in the cold. And add insult to injury: our land was taken through abusive means, and the abusers could get off without even a hand-slap.

Two years ago when our family first began our stand against eminent domain abuse, TransCanada was flying below the radar screen. No one seemed to know much about the Keystone XL Pipeline. But now the light is blindingly bright on TransCanada, the tarsands, and the threat to everyone's land and water. People around the world see that TransCanada represents eminent domain gone unchecked and horribly wrong. Why else would there be so much pushback, by so many people, from so many backgrounds, in so many ways, to the Keystone XL project?

If we allow an exception for TransCanada and the Keystone XL, we will be setting a dangerous precedent, leaving the door open for even further misuse of our legal system and more abuse of landowners unwilling to risk their property for foreign profits. The same system that enabled the judge in our case to issue a 15-word ruling from his iPhone would enable TransCanada and other pipeline companies to use the incredible legal and psychological leverage of eminent domain to continue stealing property from American citizens.

We have appealed that iPhone ruling, and look forward to our day in court with an experienced panel of judges in the 6th Circuit Court of Appeals in Texarkana, Texas. And if our legal defense fund holds out, we may take it to the Texas Supreme Court.

Eminent domain abuse at the hands of one greedy corporation is unforgivable, but it is part of something even bigger. While all land is invaluable to its owners, farmland holds a particularly unique position. Rural property rights, like mine, are the "fundamental building blocks for our Nation's agricultural industry." "The use of eminent domain to take farmland and other rural property for economic development threatens liberty, rural economies, and the economy of the

United States." And TransCanada is at the heart of these issues right now. Their advertisements in my local newspaper say "We want to be more than just a pipeline company: we want to be a trusted neighbor". They've given me no reason to trust them.

I do not believe there has been even one shred of documentation that proves that one single drop of the products transported through TransCanada's pipeline will be refined for use in the U.S. Yet we are supposed to relinquish our family's tradition and the cultural heritage of the families who lived on our land before us, just because TransCanada says, without proof, that their pipeline is for the public good. How can this pipeline be for the public good when so much information about it is not even in the public record? Diluted bitumen, tarsands, whatever you want to call it, is a product we should fully understand before we start pumping it through major waterways, sometimes through 70-year-old pipelines built before tarsands extraction was economically viable. TransCanada has called this product proprietary, refusing to provide specifics. How can we ensure the safety of a substance when we don't even know its ingredients?

Pipeline companies do not deserve a free ride, especially when they can't clean up their own messes, and especially when we taxpayers are subsidizing the cleanup attempts. Look at Enbridge in Michigan. Look at Exxon in Arkansas. This is a spill I went to see for myself. Standing at a culvert, I saw the 5 foot high imprint of the oil rush to the local wetlands. The thought of seeing the equivalent on my creek bank is disheartening. America already subsidizes the oil industry at a monumental disproportion to other industries. Are we to further subsidize pipelines with our safety, our security, and our human dignity?

Corporations may be considered to be people, but dollars do not yet count as votes. TransCanada's money never sleeps, but neither do landowners like me, faced with the threat of losing our property, or seeing our land and identities torn apart.

This bill brings much needed reform to a sometimes flawed system, and a platform where wrong can be made right. But with this exception that includes TransCanada, it is turning a blind eye to the most flagrant abuser of eminent domain today. I urge you to remove that exclusion, and let those who have abused be exposed, and suffer the consequences. TransCanada stole land that has been in my family for 6 decades, and all for a project that will line their pockets. To allow them to walk away from past abuses without penalty is egregious. I will continue to fight these injustices because life, as we know it, depends on it. And I am not alone.

Respectfully submitted,

JULIA TRIGG CRAWFORD.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise in support of this rule and the underlying legislation.

Let's be honest: this permit is 5 years old. The average time for authorizing permits in these types of projects is 18 to 24 months. Enough paralysis by analysis.

Now, some may say during this discussion that we're being impatient and we're rushing this through—1,700 days? This delay has taken longer than it took the Greatest Generation to win World War II on both fronts. It's longer than it took Lewis and Clark to do their exploration of the Louisiana Purchase to Oregon and back.

The Keystone XL is a private infrastructure project with no government funds that will create nongovernment jobs—by the way, a \$7 billion infrastructure project, 20,000 direct jobs along this route over a 2-year period.

I want to make a very important point. Those who oppose this legislation argue that it's unprecedented. This is not the first time Congress has had to intervene to build a pipeline. Like-minded legislation to this one was necessary 40 years ago to achieve construction of the game-changing trans-Alaska pipeline. That legislation that was passed and signed into law deemed that the environmental studies—NEPA—were sufficient, as this one does; that rights of way across Federal lands—not State, but Federal lands—were processed; and judicial review was also included.

Then again, in 2004, Congress had to act to pass legislation to build the Alaska natural gas pipeline. That legislation was passed and signed into law with a 60-day judicial review. The pipeline was deemed to be in the national interest and, unlike today, it expedited the NEPA. Here, the NEPA process has been finished—complete. The only way you can get more studies is to have amendments requiring more studies because all of the legal requirements have been filled.

Today, we just heard about mistreatment. And there was some misinformation from the last speaker regarding what this bill does. It gives a streamlined judicial process in regard to the Federal permits issued. It has nothing to do with States' eminent domain. But let's hear some facts.

Today, TransCanada has agreements with 60,000 landowners over 32,000 miles of pipeline. Under the original Keystone pipeline that goes through Nebraska, there were over 300 landowners involved in negotiations, four of whom objected. Three of those settled, one went to court; 300 versus four that were upset. And they got their day in court in the State of Nebraska, just like this bill preserves. If there are verifiable crop deficiencies, it's TransCanada's policy to make them whole.

Now, what will compel the State Department to complete this process? They've had it for 5 years. The studies have been completed—the original NEPA, a supplemental, a Nebraska supplemental.

Mr. Speaker, this is the most studied pipeline in the history of mankind.

□ 1310

History is our greatest educator.

In 1973, Congress passed and President Nixon signed the Trans-Alaska Pipeline Act to "ensure that because of the extensive governmental studies already made of this project and the national interest in early delivery of North Slope oil to domestic markets, the trans-Alaska pipeline be constructed promptly without further administrative or judicial delay or impediment."

That was 40 years ago we had the same problems; 2004 we have the same problems. And it took Congress to act to resolve them.

This will be the newest, most highly engineered pipeline in our history to resolve some of the questions from the gentleman from Colorado. Again, three separate environmental studies.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. I yield the gentleman an additional minute.

Mr. TERRY. The point of those is to study the impacts, if there is a spill, to not only the soil, the ecosystem, but the Ogallala Aquifer as well. Three different studies have dealt with that. All have scientifically concluded that there is negligible impact on the ecosystem, or in the artistic term "not significant."

The most celebrated geologist in the State of Nebraska has said that it is impossible for the oil to get to the Ogallala Aquifer; but if it did, the water is still and won't move out of that and can be easily remedied.

Now, I'm not being impatient; the Republicans aren't being impatient. Our Nation of builders needs this pipeline, and I urge approval of both the rule and the bill.

Mr. POLIS. Mr. Speaker, the gentleman cited studies that apparently addressed his concerns about environmental impact. I would draw his attention to the fact that there were three draft studies—one that was actually finalized. All of them were on the old routing. The project itself has been revised. There have been zero studies, environmental studies for health and water, with regard to the new routing of the pipeline.

With that, I would like to yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the rule. Whether or not you support the pipeline, you should oppose this legislation. H.R. 3 is a reckless attempt to sideline environmental review and limit public input.

The majority claims that Keystone XL is the most studied pipeline in the history of pipelines. Shouldn't a pipeline that is going to run the length of our country be exhaustively studied? We need to know the environmental impacts and truly weigh all the consequences, intended or not, of H.R. 3; and H.R. 3 would deny the American people and this Congress that opportunity.

Over 1 million Americans commented on the Supplemental Environmental Impact Statement. The President and his administration need time to analyze these comments and evaluate the impacts of this massive project. H.R. 3 shuts that process down and says it's ready to go.

This can't be about making the President look bad or the bottom line of a Canadian corporation. This is about doing what's right for this country.

This is no ordinary pipeline. It will transport dirty tar sands oil from Canada to Port Arthur, Texas. Tar sands oil produces 40 percent more carbon pollution than conventional oils.

Pretending that this pipeline has to be done and has to be done immediately is to hide from the reality of the consequences of this pipeline. We really don't need the oil. It is oil that will be primarily exported out of this country.

A recent study by Cornell University found that Keystone XL will divert more green jobs and contribute to more climate change than any other project. The claims of employment are hugely exaggerated.

We are having the wrong conversation. We should be talking about the future of real energy independence and alternative and renewable energy.

While I don't support H.R. 3 or Keystone XL, I think the decision lies with the President. That's why I am circulating a letter to the President to reject this lack of a Presidential permit.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, as chairman of the Foreign Affairs Committee, let me make it abundantly clear here: the pipeline is going to be built. The question is whether it's going to be built west to Vancouver, and then we're going to see the product shipped to our economic competitors; or will the pipeline be built south to our refineries in the United States.

There's a second point. We've got the cleanest burning refineries in the world. That is not true in terms of our economic competitors.

So from an environmental standpoint and from the standpoint of energy needs in the U.S., it makes no sense to advance the interests of our economic competitors.

Now, the U.S. energy costs have been declining. China's energy costs have been rising. Our country is becoming a more attractive place to manufacture goods. We are also becoming more competitive, both with Europe and with Asia.

U.S. gasoline prices right now are 30 percent lower than China's, and U.S. electricity prices are 50 percent lower than Europe's. For those of us that have been involved in manufacturing in the past, we understand how important that is. We want energy prices lower here in the United States than they are overseas, not the other way around.

A reliable and efficient energy supply is, frankly, vital to our economic competitiveness; and unless we reverse course, we could squander the advantage we have right now. The Keystone pipeline will have a major positive impact on the economy at a time when millions of hard-pressed Americans are searching for work. Keystone will create an estimated 20,000 new direct jobs and we know hundreds of thousands of indirect jobs, not only in the States where the pipelines will be built and

operated, but throughout the entire country.

Keystone is going to enhance our national security. Think about this for a minute. And, frankly, our Foreign Affairs Committee members, 24 of our Republican Members, wrote to the President in February saying that by providing secure access to petroleum from Canada, we would reduce our reliance on energy imports from countries in the OPEC cartel. The U.S. would be less vulnerable to political and security-related disruptions of our energy supply.

Well, that's the point. That's the objective here. And in the same vein, energy from Canada will enable us to reduce our dependence on unstable and unfriendly oil exporters. For example, while the Venezuelan regime remains openly hostile to the U.S., the country is our fourth largest source of oil. By contrast, Canada has long been one of our closest allies.

Our economies are joined together with Canada and our energy sectors are already integrated. We want to spend the money in Canada and have it circulated back over that border. Ninety percent of what Canada buys is made in the United States. We could have no better partner in our effort to ensure our energy security.

By obstructing the approval process, the administration not only prevents the benefits of the pipeline from materializing; it also chills the development for new projects. Think about this. At the present time, Canada and Mexico are major sources of American energy and offer enormous potential for the development of new oil and gas fields and greatly expanded cross-border energy trade.

Yet if our existing Federal bureaucracy is willing to impose excessive costs and continued delays on a project as sound as Keystone, what reasonable business will want to assume similar risks going forward? I tell you what will happen: that pipeline will be built instead to Vancouver, British Columbia, and instead of the imports coming into the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBSTER of Florida. I yield the gentleman an additional 30 seconds.

Mr. ROYCE. The role of the State Department in the approval process is to determine whether the project serves the national interest. No one familiar with the facts would deny that it does, but the delays continue based on unfounded claims.

The State Department's own draft Supplemental Environmental Impact Statement on Keystone concluded that, in effect, there was no environmental reason not to approve the pipeline; yet still no action has been taken.

But it appears that not everyone in the administration got the message to slow this project down. This month, the U.S. Fish and Wildlife Service concluded that the proposed Keystone XL pipeline would have no negative impact

on a wide range of threatened species—from the gray wolf, to the whooping crane, to the prairie fringed orchid. While it found that the project was likely to affect the American burying beetle, ABB, it concluded that Keystone XL's conservation measures "would likely result in a net increase in protected ABB habitat." So the one animal affected will actually be better off after the Keystone pipeline.

It is time to stop this charade. All reasonable objections to the pipeline have been fully addressed. Please pass the legislation.

□ 1320

Mr. POLIS. Mr. Speaker, it is my honor to yield 2 minutes to one of our leaders on energy policy, the gentlewoman from Texas (Ms. JACKSON LEE). (Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Let me thank the gentleman from Colorado for his leadership, and I hope that we will continue this debate with my good friends on the other side of the aisle on this issue.

It is just very challenging to have a structure of legislation that deems approval and does not do what I think all of us want it to do, which is to get moving to provide these jobs and to do what America is uniquely noted for—that we cross the T's and dot the I's, that we make sure that the environmental concerns are answered. I rise on this rule to make several points.

Mr. RUSH and I offered an amendment to strike section 4. In this bill, it does not allow for judicial review. It allows for people in Kentucky or in Arizona or in Texas to come to the District of Columbia to file their cases in the Court of Appeals. As a member of the Judiciary Committee, I raised concerns about that. My bill struck the provision that eliminated judicial review so that some burdened individual citizen couldn't just go into his Federal district court.

I had another amendment that is very near and dear to me that wants to give new life to the jobs and businesses in the energy industry, which is to create a report to ensure that women, small businesses, minority-owned businesses get their fair shake and that we have an overall commitment to hiring the new young graduates who are coming out, many of them from the diverse community, which we see the energy industry is still seeking to outreach because there is a great need for increased diversity in many of these fields. Amendment No. 2 would have added a nonseverability clause so that, if anything were found to be unconstitutional, we would go back to the drawing board for this entire bill.

Again, to have a major initiative be deemed approved, the Secretary of State authority deemed approved, the Presidential authority deemed approved, this is something that, my colleagues, we should work together on.

I would finally suggest that I hope my colleagues will support my amendment on extending to 1 year the period for filing. Let's work together and make sure we've got something that will create jobs.

Mr. WEBSTER of Florida. I just want to say that I know there is a desire to have more T's crossed and I's dotted. There are over 450,000 T's and I's in those 15,000 pages. We've done enough. It's time to build this pipeline. Keystone XL will help lower gas prices and will help protect against supply disruptions by putting downward pressure on oil prices by increasing supply to domestic markets.

In a memo from the Department of Energy regarding Keystone XL, it asserted that gasoline prices in all markets served by refiners on the east coast and gulf would decrease, including in the Midwest. Yes, it does do that. There are four things we said. One of them is the major one, which is that it creates jobs immediately; 42,100 were estimated by the Department of State in one of their four studies on this particular bill. I mean, we could go study after study after study with 10 different agencies looking over and over and over. There are no more studies to be done. It's time to make the decision. When should it be made? Now.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker and Members of the House, I rise in opposition to the rule and the underlying bill. I lament that fact because I'm one of those who supports the Keystone pipeline for the many reasons that have been stated here.

I know people have concerns about oil sands, tar sands or oil production processes, but that's a Canadian decision. The fact is that these oils are going to be moved by tens of thousands of railroad cars or trucks through the States or through a pipeline to the west. Pipelines are a proven environmentally safe and sound way to move oil around North America and the country.

I am in opposition to the bill because, in committee, it became apparent that the bill relieves a foreign corporation from all of the same obligations that domestic corporations are expected to honor. They are exempted from having to comply with the EPA, with the Army Corps permits for construction and maintenance. They are relieved of the responsibility to pay taxes on the oil flowing through those pipelines. They are relieved of responsibility for cleanup in the event of accidents. That is a prescription for nothing but trouble and disaster.

Mr. Speaker, those are the reasons that I speak in opposition to this rule and to this bill.

Mr. WEBSTER of Florida. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes

remaining, and the gentleman from Colorado has 11 minutes remaining.

Mr. WEBSTER of Florida. I reserve the balance of my time in order to close.

Mr. POLIS. I would like to inquire of the gentleman if he has any remaining speakers.

Mr. WEBSTER of Florida. No.

Mr. POLIS. I would like to inform the gentleman that I have possibly one who, if he comes, I would like to yield to. Other than that, I am prepared to close, and I yield myself such time as I may consume.

Look, it has been talked about as to the impact on gas prices in the Midwest. There is no TAPS on this pipeline in the Midwest. It goes from Canada to the Gulf of Mexico to China and everywhere else. There can't even be TAPS on it in the Midwest because we're talking about unprocessed tar sands crude, which needs to be processed. It's a drop in the bucket in the global supply and has no impact on gas prices.

There are dozens of meaningful policies that we can talk about to reduce gas prices. Let's get to it rather than taking this important decision out of the context of the administration and out of the context of the process that Congress, itself, set up to co-op that very process for purely political purposes.

The Northern Route Approval Act exempts TransCanada from multiple loss, including treaty acts that we've passed, the Clean Water Act, and many others that my colleague Mr. NOLAN pointed out that American companies are subjected to. Yes, it's giving foreign companies preferential treatment over American companies.

Even though we don't know the cost of potential Keystone tar sands spills, we do know that American taxpayers will likely be stuck paying the bill for cleaning up and for the economic costs of these spills. Tar sands developers are exempt from paying into the Oil Spill Liability Trust Fund. Let me repeat that. Tar sands developers are exempt from paying into the Oil Spill Liability Trust Fund. That's a fund that normally collects an 8-cent per barrel excise tax on domestically produced crude oil to pay for spill prevention and mitigation efforts.

So they are exempt. They're not paying in. Like any oil that's pulled out of the ground in Texas or across our country, they're paying in because we know that oil spills happen; we know they have real economic and health costs; we know they affect agriculture and water—but oh, no, this project is exempt. Since tar sands are not considered conventional oil, TransCanada is not required to pay into the trust fund for the oil it transports, while the data indicates that the tar sands crude can actually have a worse economic and environmental impact when spilled than conventional oil. We can't subject more communities like Mayflower to oil spills and then burden the U.S. taxpayers at a time of record deficits with paying for the cleanup.

Approving the Keystone XL pipeline through this bill would simply benefit foreign oil companies at the expense of the health and safety of the American people. There is a process in place to protect the health and safety of the American people, the economic welfare of the American people, jobs. This bill circumvents that process that Congress set up. If we want to change the process, let's have a debate about the process for approval and the statutory framework and work with the administration to come up with a better way to do it. Let's not go around our own process just because we may or may not like what we may or may not think is the outcome.

I urge the majority to stop wasting the American people's time with bills that are going nowhere and to turn towards addressing so many challenges we can agree on—reducing the deficit, improving the economy, improving the efficiency of the delivery of health care. Let's talk about reducing gas prices, the bipartisan bill that I've introduced with Mr. GOSAR and Mr. HECK and others.

□ 1330

Mr. Speaker, if we defeat the previous question, I'll offer an amendment to the rule to bring up H.R. 2070, Representative TIM BISHOP's bill to protect consumers from price gouging at the pump.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD along with the extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question, and I urge a "no" vote on the rule and the underlying bill.

This rule doesn't even allow for 10 minutes of debate or 5 minutes of debate or 1 minute of debate on the very commonsense amendments that have been brought forward by my colleagues like Mr. PETERS of Michigan and Mr. TONKO of New York.

Don't we have 1 minute to debate these important amendments? What are we doing that's so important? We didn't even go into session until noon today. Why didn't we go into session at 11:59 a.m. and have 1 minute for debate on these amendments? What are we doing here, Mr. Speaker? We have the time to get it right. Let's do it.

I urge a "no" vote on the rule and the underlying bill, and I yield back the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I yield myself such time as I may consume.

First of all, the amendments that were talked about are amendments that would add to a process that we have said is very sacred. We don't want to change the process. We don't want to circumvent it.

We're not circumventing any process. Because this crosses a national boundary, there's only one thing left to do: we need the President to okay it. Every study that could be done—this started in 2008 and continued in 2009, 2010, 2011 and 2012, and now here we are in 2013. It's out of opportunities to be studied. It's time.

This rule provides for ample and open debate and makes in order proposals from both sides of the aisle.

As I stated before, this bill represents so much more than the approval of an 875-mile long pipeline. It represents 42,100 jobs, greater energy independence, and will benefit our Nation for generations to come.

The Keystone XL pipeline will allow 830,000 barrels of oil to flow each day to domestic refineries that employ hard-working Americans. This number represents half of our current daily crude oil imports from the Middle East. This will not only diversify our energy sources, but it will reduce our dependence on foreign oil from countries that in many ways do not share or respect our freedom and democracy.

As we speak, the southern gulf coast segment of the Keystone XL pipeline is being constructed. It didn't require Presidential approval for one reason: it didn't cross a national border. It was studied by the requisite State and Federal environmental agencies, it was approved, and now it's approximately 50 percent complete.

Four years and 15,000 pages represent more than enough time and paper to study this pipeline. Any more paper and we'll need an environmental impact statement to study the effects of the environmental impact statement.

Our Nation is crying out for job creation, energy independence, and lower gas prices. Today, we have the opportunity to answer that call and to remove the few remaining barriers that stand between Americans and the relief they desperately need.

I ask my colleagues to join me in voting in favor of this rule and passage of the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding. I thank Chairman SESSIONS and the Members of the Rules Committee for making in order my amendment that extends the time period for filing a claim arising under the Act from 60 days to 1 year.

Mr. Speaker, the Keystone XL Pipeline project raises several issues important to every Member of this House:

Energy production and independence.  
Environmental protection and preservation.  
Job creation.  
Separation of powers and checks and balances.

Given the importance of these issues, I believe the House would have benefitted from a rule that provided for even more extensive and wide-ranging debate and that made more amendments in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment #4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment #3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business enterprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee Amendment #2 Amendment, would have added a non-severability clause to the bill, which states that: "if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void."

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in *pari materia*, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the Congressional intent that this bill is so delicately crafted, that it is "all or nothing."

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter v. Carter Coal Co.*, 298 U.S. 238, 312 (1936):

"[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.

This presumption becomes conclusive when Congress makes its intention clear, see *Carter v. Carter Coal Co.*, 298 U.S. at 312, by including a non-severability clause in the statute.

My amendment would have done just that.

For these reasons, I am opposed to the rule and cannot support it.

We can do better to create jobs, build the pipeline, and protect the environment. I will consider how to move forward.

Mr. Speaker, I have an amendment at the desk. It is Jackson Lee Amendment No. 1.

I thank the Members of the Rules Committee for making the amendment in order.

My amendment is simple and straightforward. It extends the time period for filing a claim arising under the Act from 60 days to 1 year after the date of the decision or action giving rise to the claim.

This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the Act in a single court—the U.S. Circuit Court of Appeals for the District of Columbia.

Think about that. The Keystone Pipeline is proposed to run from Alberta, Canada through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas all the way to the Gulf of Mexico.

And the only court in the country authorized to hear the claims of any resident of any of these States who seeks justice for a legally cognizable injury is located more than 1,000 miles away from their homes.

This will impose undue hardship and financial burdens on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer that they don't know and may have never met to represent their interests in a court in a far away land.

Another reason for extending the time period in which to file a claim from 60 days to 1 year is because by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing the legal action.

This is because the burden that must be shouldered by a plaintiff is very steep. To challenge factual and evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that they are "not supported by substantial evidence in the record considered as a whole."

To meet that standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

That takes time. And that is why my amendment is necessary.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 228 OFFERED BY  
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

Sec. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2070) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2070.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), de-

scribes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WEBSTER of Florida. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum

time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 194, not voting 16, as follows:

[Roll No. 167]

YEAS—223

Aderholt	Gowdy	Pearce
Alexander	Granger	Perry
Amash	Graves (GA)	Petri
Amodei	Graves (MO)	Pittenger
Bachmann	Griffith (AR)	Pitts
Bachus	Griffith (VA)	Poe (TX)
Barletta	Grimm	Pompeo
Barr	Guthrie	Posey
Barton	Hall	Price (GA)
Benishek	Hanna	Radel
Bentivolio	Harper	Reed
Bilirakis	Harris	Reichert
Bishop (UT)	Hartzler	Renacci
Black	Hastings (WA)	Ribble
Blackburn	Heck (NV)	Rice (SC)
Bonner	Hensarling	Rigell
Boustany	Holding	Roby
Brady (TX)	Hudson	Roe (TN)
Bridenstine	Huelskamp	Rogers (AL)
Brooks (AL)	Huizenga (MI)	Rogers (KY)
Brooks (IN)	Hultgren	Rogers (MI)
Broun (GA)	Hunter	Rohrabacher
Buchanan	Hurt	Rokita
Bucshon	Issa	Rooney
Burgess	Jenkins	Roskam
Calvert	Johnson (OH)	Ross
Camp	Johnson, Sam	Rothfus
Campbell	Jones	Royce
Cantor	Jordan	Runyan
Capito	Joyce	Ryan (WI)
Carter	Kelly (PA)	Salmon
Cassidy	King (IA)	Sanford
Chabot	King (NY)	Scalise
Chaffetz	Kingston	Schock
Coble	Kinzinger (IL)	Schweikert
Coffman	Kline	Scott, Austin
Collins (GA)	Labrador	Sensenbrenner
Collins (NY)	LaMalfa	Sessions
Conaway	Lamborn	Shimkus
Cook	Lance	Shuster
Cotton	Lankford	Simpson
Cramer	Latham	Smith (NE)
Crawford	Latta	Smith (NJ)
Crenshaw	LoBiondo	Smith (TX)
Culberson	Long	Southerland
Daines	Lucas	Stewart
Davis, Rodney	Luetkemeyer	Stivers
Denham	Lummis	Stockman
Dent	Marchant	Stutzman
DeSantis	Marino	Terry
DesJarlais	Massie	Thompson (PA)
Duffy	Matheson	Thornberry
Duncan (SC)	McCarthy (CA)	Tiberi
Duncan (TN)	McCaul	Tipton
Ellmers	McClintock	Turner
Farenthold	McHenry	Upton
Fincher	McKeon	Valadao
Fitzpatrick	McKinley	Wagner
Fleischmann	McMorris	Walberg
Fleming	Rodgers	Walden
Flores	Meadows	Walorski
Forbes	Meehan	Weber (TX)
Fortenberry	Messer	Webster (FL)
Fox	Mica	Wenstrup
Franks (AZ)	Miller (FL)	Westmoreland
Frelinghuysen	Miller (MI)	Whitfield
Gardner	Mullin	Williams
Garrett	Mulvaney	Wilson (SC)
Gerlach	Murphy (PA)	Wittman
Gibbs	Neugebauer	Wolf
Gibson	Noem	Womack
Gingrey (GA)	Nunes	Yoder
Gohmert	Olson	Yoho
Goodlatte	Palazzo	Young (IN)
Gosar	Paulsen	

NAYS—194

Andrews	Braley (IA)	Castro (TX)
Barber	Brown (FL)	Chu
Barrow (GA)	Brownley (CA)	Cicilline
Bass	Bustos	Clarke
Beatty	Butterfield	Clay
Becerra	Capps	Cleaver
Bera (CA)	Capuano	Cohen
Bishop (GA)	Cárdenas	Connolly
Bishop (NY)	Carney	Conyers
Blumenauer	Carson (IN)	Cooper
Bonamici	Cartwright	Costa
Brady (PA)	Castor (FL)	Courtney



Crowley	Kilmer	Pocan
Cuellar	Kind	Polis
Cummings	Kirkpatrick	Price (NC)
Davis (CA)	Kuster	Quigley
Davis, Danny	Langevin	Rahall
DeFazio	Larsen (WA)	Rangel
DeGette	Larson (CT)	Richmond
Delaney	Lee (CA)	Roybal-Allard
DeLauro	Levin	Ruiz
DelBene	Lewis	Ruppersberger
Deutch	Lipinski	Rush
Dingell	Loeb	Ryan (OH)
Doggett	Loftgren	Sánchez, Linda
Doyle	Lowenthal	T.
Duckworth	Lowey	Sanchez, Loretta
Edwards	Lujan Grisham	Schakowsky
Ellison	(NM)	Schiff
Engel	Lujan, Ben Ray	Schneider
Enyart	(NM)	Schrader
Eshoo	Lynch	Schwartz
Esty	Maffei	Scott (VA)
Farr	Maloney,	Scott, David
Fattah	Carolyn	Serrano
Foster	Maloney, Sean	Sewell (AL)
Frankel (FL)	Matsui	Shea-Porter
Fudge	McCarthy (NY)	Sherman
Gabbard	McCollum	Sinema
Gallo	McDermott	Sires
Garamendi	McGovern	Slaughter
Grayson	McIntyre	Smith (WA)
Green, Al	McNerney	Speier
Green, Gene	Meeks	Swalwell (CA)
Grijalva	Meng	Takano
Gutierrez	Michaud	Thompson (CA)
Hahn	Miller, George	Thompson (MS)
Hanabusa	Moore	Tierney
Heck (WA)	Moran	Tonko
Higgins	Murphy (FL)	Tsongas
Himes	Nadler	Van Hollen
Hinojosa	Napolitano	Vargas
Holt	Neal	Veasey
Honda	Negrete McLeod	Vela
Horsford	Nolan	Velázquez
Hoyer	O'Rourke	Visclosky
Huffman	Owens	Walz
Israel	Pallone	Wasserman
Jackson Lee	Pascarell	Schultz
Jeffries	Pastor (AZ)	Waters
Johnson (GA)	Payne	Watt
Johnson, E. B.	Pelosi	Waxman
Kaptur	Perlmutter	Welch
Keating	Peters (CA)	Wilson (FL)
Kelly (IL)	Peters (MI)	Yarmuth
Kennedy	Peterson	
Kildee	Pingree (ME)	

## NOT VOTING—16

Clyburn	Markey	Titus
Cole	Miller, Gary	Woodall
Diaz-Balart	Nugent	Young (AK)
Garcia	Nunnelee	Young (FL)
Hastings (FL)	Ros-Lehtinen	
Herrera Beutler	Sarbanes	

□ 1400

Mr. McNERNEY and Ms. JACKSON LEE changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

(By unanimous consent, Mr. LUCAS was allowed to speak out of order.)

MOMENT OF SILENCE IN REMEMBRANCE OF  
VICTIMS OF RECENT TORNADOS

Mr. LUCAS. Mr. Speaker, as you're all well aware, it's been a tough week in the Southwest. In particular, it's been a tough few days in the Fourth District of Oklahoma.

Today, I rise to first thank you for your prayers and your thoughts and your good will, but I note also the tornado that rolled through Congressman TOM COLE's district in Oklahoma, from Newcastle through Moore and across the southern part of Oklahoma City. Congressman COLE is not with us today because he is still in Oklahoma, addressing the needs of and working with his fellow citizens and community members as they try to put themselves

back together after this strike by an F-5 tornado.

Moore is particularly important to our colleague, Congressman COLE, because not only does he represent the community, but he was raised there, two generations of his family buried in the cemetery there. So it's a community that's important to him in many, many ways.

That said, the good folks in Moore and the other communities will, over the coming days, pull themselves back together. They'll finish sifting through every pile of rubble; they'll have made a determination that there's no one left to be saved, as they work frantically to try to do that; and they'll begin the process of laying to rest those who were lost and put their entire community back together.

While many folks are well aware of the importance of FEMA and the Federal response, Moore is a classic example—and this could be any community in the United States—of where, in the greatest tragedy, the most tragic loss of life, city government, county government, and State government come together to work seamlessly to help those in need and to recover those beyond help.

We in the Oklahoma delegation and our friends in the Texas delegation appreciate everything that you have and you will help do in this effort.

Mr. Speaker, with that, I yield to the gentleman who represents part of that area and just to the north, Oklahoma City, the great Fifth District of Oklahoma, Congressman LANKFORD.

Mr. LANKFORD. In the past week, Texas and Oklahoma have experienced a storm. We lost 6 in Lake Granbury, Texas; 2 in Shawnee, Oklahoma, on Sunday; and 24 in Moore, Oklahoma, including 10 children and 14 adults. We have been overwhelmed with the number of people that have come to us to say, “We're praying for you.”

I would like to make a request that this body take a moment to pause and pray and experience a moment of silence in honor of those that have been lost and the recovery efforts ahead.

The SPEAKER pro tempore (Mr. WOMACK). Members will rise and the House will observe a moment of silence.

(By unanimous consent, Ms. EDDIE BERNICE JOHNSON of Texas was allowed to speak out of order.)

EXPRESSING SYMPATHY FOR THE VICTIMS OF  
THE RECENT TORNADOS

Ms. EDDIE BERNICE JOHNSON of Texas. As the Democratic side of the Texas delegation, I want to join the other Republicans that came up with the Oklahoma delegation and simply say that this is not a partisan issue. We stand ready to be of assistance to those people in Oklahoma.

I represent Dallas. That is closer to Oklahoma City than it is to Houston. No matter where tragedies may occur, we stand ready as American people to stand by those people who have been affected, notwithstanding party.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 185, not voting 20, as follows:

[Roll No. 168]

## AYES—228

Aderholt	Gerlach	Miller (FL)
Alexander	Gibbs	Miller (MI)
Amash	Gibson	Mullin
Amodei	Gingrey (GA)	Mulvaney
Bachmann	Gohmert	Murphy (FL)
Bachus	Goodlatte	Murphy (PA)
Barber	Gosar	Neugebauer
Barletta	Gowdy	Noem
Barr	Granger	Nunes
Barton	Graves (GA)	Nunnelee
Benishek	Graves (MO)	Olson
Bentivolio	Green, Gene	Owens
Bilirakis	Griffin (AR)	Palazzo
Bishop (UT)	Griffith (VA)	Paulsen
Black	Grimm	Pearce
Blackburn	Guthrie	Perry
Bonner	Hall	Peters (CA)
Boustany	Hanna	Peterson
Brady (TX)	Harper	Petri
Bridenstine	Harris	Pittenger
Brooks (AL)	Hartzler	Pitts
Brooks (IN)	Hastings (WA)	Pompeo
Broun (GA)	Heck (NV)	Posey
Buchanan	Hensarling	Price (GA)
Bucshon	Holding	Radel
Burgess	Hudson	Reed
Calvert	Huelskamp	Reichert
Camp	Huizenga (MI)	Renacci
Campbell	Hultgren	Ribble
Cantor	Hunter	Rice (SC)
Capito	Hurt	Rigell
Carter	Jenkins	Roby
Cassidy	Johnson (OH)	Roe (TN)
Chabot	Johnson, Sam	Rogers (AL)
Chaffetz	Jordan	Rogers (KY)
Coble	Joyce	Rogers (MI)
Coffman	Kelly (PA)	Rohrabacher
Collins (GA)	King (IA)	Rooney
Collins (NY)	King (NY)	Roskam
Conaway	Kingston	Ross
Cook	Kinzinger (IL)	Rothfus
Cotton	Kline	Royce
Cramer	Labrador	Runyan
Crawford	LaMalfa	Ryan (WI)
Crenshaw	Lamborn	Salmon
Culberson	Lance	Sanford
Daines	Lankford	Scalise
Davis, Rodney	Latham	Schock
Denham	Latta	Schweikert
Dent	LoBiondo	Scott, Austin
DeSantis	Long	Sensenbrenner
DesJarlais	Lucas	Sessions
Duckworth	Luetkemeyer	Shimkus
Duffy	Marchant	Shuster
Duncan (SC)	Marino	Simpson
Duncan (TN)	Massie	Smith (NE)
Ellmers	Matheson	Smith (NJ)
Farenthold	McCarthy (CA)	Smith (TX)
Fincher	McCaull	Southerland
Fitzpatrick	McClintock	Stewart
Fleischmann	McHenry	Stivers
Fleming	McIntyre	Stockman
Flores	McKeon	Stutzman
Forbes	McKinley	Terry
Fortenberry	McMorris	Thompson (PA)
Fox	Rodgers	Thornberry
Franks (AZ)	Meadows	Tiberi
Frelinghuysen	Meehan	Tipton
Gardner	Messer	Turner
Garrett	Mica	Upton

Valadao  
Wagner  
Walberg  
Walden  
Walorski  
Weber (TX)  
Webster (FL)

Wenstrup  
Westmoreland  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf

Womack  
Woodall  
Yoder  
Yoho  
Young (IN)

## NOES—185

Andrews  
Barrow (GA)  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clarke  
Clay  
Cleaver  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Deutch  
Dingell  
Doggett  
Doyle  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty  
Fattah  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Galego  
Garamendi  
Grayson  
Green, Al

Grijalva  
Gutiérrez  
Hahn  
Hanabusa  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Holt  
Honda  
Horsford  
Hoyer  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maffei  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
Nolan  
O'Rourke

Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmuter  
Peters (MI)  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—20

Clyburn  
Cole  
Díaz-Balart  
Farr  
Garcia  
Hastings (FL)  
Herrera Beutler

Issa  
Jones  
Kirkpatrick  
Lummis  
Markey  
Miller, Gary  
Nugent

Poe (TX)  
Rokita  
Ros-Lehtinen  
Sarbanes  
Young (AK)  
Young (FL)

## □ 1413

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## NORTHERN ROUTE APPROVAL ACT

## GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and ex-

tend their remarks and include extraneous materials on H.R. 3.

The SPEAKER pro tempore (Mr. JOYCE). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 228 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3.

The Chair appoints the gentleman from Arkansas (Mr. WOMACK) to preside over the Committee of the Whole.

## □ 1416

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

The gentleman from California (Mr. DENHAM), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. WAXMAN), the gentleman from Washington (Mr. HASTINGS), and the gentleman from New Jersey (Mr. HOLT) each will control 15 minutes.

The Chair recognizes the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, I yield myself such time as I may consume.

I thank the chairman for the time to express my views on H.R. 3, which will generate numerous benefits to the Nation and its economic growth. This pipeline will create American jobs, enhance our energy independence, and strengthen our national security.

I am proud to say that I'm a cosponsor of this legislation because it represents a significant opportunity to create jobs and spur economic growth in our country. Furthermore, this bill will help the Nation become more energy independent.

According to the Department of Energy, the pipeline will transport 830,000 barrels per day of oil from Canada to the gulf coast, totaling nearly half of our current daily imports from the Middle East. This bill makes these numerous project benefits a reality. What this boils down to is breaking through bureaucratic hurdles and making this project a priority.

The southern leg of the Keystone XL pipeline has already been approved, and this bill finishes the job, allowing con-

struction of the northern route of the pipeline to move forward.

This bill also ensures that the environment and its historic resources are protected, through the 5 years of studies that have already been completed on this project. Indeed, this has been the most studied project in our country's history.

It also ensures that the project's routing through Nebraska, the primary objection with the permit when it was denied in 2012, is the route chosen by the people of that State. Simply put, as President Obama said regarding the southern route, this bill "cuts through the red tape."

The project is the most extensively studied and vetted pipeline project in the history of this country. Given the nearly 5 years of study and review of the Keystone XL project—with four State Department environmental impact statements and over 15,000 pages of publicly released documents—we know the ins and outs and all about this pipeline.

I believe in an all-of-the-above energy strategy, and this legislation is one piece of that puzzle to break America's dependency on overseas foreign oil.

## □ 1420

Finally, it is important to remember that this project will be built with private dollars and create thousands of private sector jobs. This project has passed through all three committees with bipartisan support, and I urge my colleagues to support this critical legislation.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,

Washington, DC, May 17, 2013.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN SHUSTER, I am writing concerning H.R. 3, the "Northern Route Approval Act."

As you know, H.R. 3 contains a section on judicial review, which is within the Committee on the Judiciary's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 3, the Committee on the Judiciary will not assert its jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the CONGRESSIONAL RECORD during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

BOB GOODLATTE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 20, 2013.

Hon. BOB GOODLATTE,  
Chairman, Committee on the Judiciary, Ray-  
burn House Office Building, Washington,  
DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3, the Northern Route Approval Act. I appreciate your willingness to support expediting floor consideration of this legislation.

I acknowledge that by forgoing a sequential referral on this legislation, the Committee on the Judiciary is not diminishing or altering its jurisdiction with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3 in the CONGRESSIONAL RECORD during floor consideration of this bill.

Sincerely,

BILL SHUSTER,  
Chairman.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, I voted for every piece of pro-Keystone pipeline legislation that was brought before this body—every piece of pro-Keystone pipeline legislation. But something has happened along the way between then and now. That something is called a hijacking of this bill by the right wing.

I support the Keystone pipeline project. I believe it will be an important element in our domestic energy infrastructure.

Last Congress, I was pleased to support and vote for Keystone legislation that was considered and passed by the House, including H.R. 1938. However, I am opposed to the pending measure primarily due to section 3 of the bill.

The bill we are considering today is vastly different from H.R. 1938. That was reasonable, responsible legislation. H.R. 3 is absolutely not.

Instead of taking the straightforward approach that H.R. 1938 did, which set a specific deadline for the President to grant or deny a permit for the Keystone pipeline, the pending measure completely eliminates the requirement for a permit. It waives a permit, and it deems a permit application by a foreign company for a major undertaking in the United States to be approved.

As I said, I want to see this pipeline built, but it will not be built under this proposal. Waiving permits? Deeming permit applications approved? For a foreign company? We don't even do that for our domestic companies.

Everybody in this country understands that you need a permit for certain activities. You need a permit to drive. You need a permit to mine coal. You need a permit to build a highway. You need a permit to construct a shopping mall. You even need a permit, a license, to get married.

So what right do the promoters of this bill have to jeopardize this pipeline with such a frivolous proposal? That is exactly what we're doing with this legislation.

Make no mistake about it, this is a bumper sticker bill, ideology driven,

born of fancy, not fact. Jobs hang in the balance here, an important supply of energy held hostage. This bill is a mockery.

It boils down to this: right-wing politics trumping what is right, what is correct, and what is just for this pipeline to proceed through the permitting process—to be built, to put people to work.

So let's get serious. Let's dispense with the kindergarten tactics. Too much is on the line here. While the promoters of this bill play politics, I can assure them that this is no laughing matter in the heartland of America.

It is my hope that this bill can be approved during House consideration today and that I will be able to support it by the time we reach final passage. Otherwise, I will vote "no" in recognition of what this bill is as currently drafted.

I reserve the balance of my time.

Mr. DENHAM. This is a very serious matter. Thousands of jobs, American jobs, are on the line. Energy independence is on the line. When is enough enough? Five years? six years? ten years? When will we utilize North American oil in North America?

Mr. Chairman, I wish to yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act, which allows construction of the Keystone XL pipeline. I'm happy to say it passed out of full committee in Transportation and Infrastructure on May 16 with a bipartisan vote of 33 to 24.

My good friend from California is right: When is enough time enough?

My good friend from West Virginia asked: What gives us the right? What gives us the right is the Constitution.

The House of Representatives, the Senate, the legislative body, to pass laws, to move things forward, 5 years is way too long. We need to develop the energy in America. We need to bring energy from our good friends from Canada. This all adds to the regulatory burden that this administration has put on us.

This pipeline is the lifeline that powers nearly all of our daily activities.

The hallmark of America's 2.5 million-mile pipeline network continues to be that it delivers extraordinary volumes of product reliably, safely, efficiently, and economically. Pipelines are the safest and most cost-effective means to transport the products that fuel our economy. In fact, pipelines provide more than two-thirds of the energy used in the United States. The Keystone XL project will be a critical addition to this extensive network, increasing our Nation's supply of oil, and thus helping to reduce the cost of fuel used in the transportation sector.

H.R. 3 is a commonsense bill that allows construction, maintenance, and operation of the Keystone XL pipeline to move forward. The pipeline has been subject to extensive environmental re-

views already conducted. In fact, it is the most studied pipeline in the history of America.

The bill would require no Presidential permit process for the approval of the pipeline, and therefore avoids further political delays of this project.

Of particular interest to taxpayers, this pipeline doesn't require one Federal dollar.

Further, the very nature of infrastructure creates jobs, and the Keystone is no exception. In fact, the U.S. State Department estimates that Keystone XL will produce 42,000 jobs—jobs that will not be created unless this project goes forward.

The CHAIR. The time of the gentleman has expired.

Mr. DENHAM. I yield the gentleman an additional minute.

Mr. SHUSTER. This project will have a significant positive economic impact, including an estimated \$3.3 billion in direct expenditures for construction and materials and \$2.1 billion in earnings.

Finally, as noted throughout the process, the Keystone XL will be the safest pipeline ever constructed. Let me repeat that: the safest pipeline ever constructed. It should be approved without further delay.

I urge all of my colleagues to vote for this pipeline to help secure America's energy independence.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the ranking member on our Transportation Freight panel, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to the Northern Route Approval Act, which would deem the Keystone XL pipeline approved.

The National Oceanic and Atmospheric Administration just measured almost 400 parts per million of atmospheric carbon dioxide, well beyond the 350 parts per million many scientists warn is the level we must not cross to avoid severe climate impacts. Any rational person who doesn't want more Hurricane Sandys or more Oklahoma hurricanes would recognize that we must focus on developing renewable energy sources and reducing our dependence on fossil fuels, and yet this bill mandates the approval of a pipeline that will allow Canada to deliver 830,000 barrels per day of tar sands oil to gulf coast refineries.

Tar sands oil is difficult to extract, and the process is destructive and toxic. Producing tar sands oil results in at least 14 percent more greenhouse gas emissions than conventional oil. For those concerned about climate change, the Keystone pipeline is a non-starter. We cannot allow such a gigantic and irreversible step backward in the fight against global warming.

H.R. 3 goes well beyond the merits of the pipeline itself. This bill sets a dangerous precedent, undercutting our environmental laws and short-circuiting the review process. It deems the pipeline approved by Congressional mandate. It locks in the administrative

record as of a date certain, eliminates the requirement for a Presidential permit normally required for cross-border pipelines, and it mandates the issuance of permits, not just for construction of the pipeline, but for operation and maintenance as well, or, in other words, in perpetuity. It deems all the environmental and safety laws satisfied regardless of the facts.

It also manages to undermine a citizen's fair access to judicial review. The bill appears to grant the right of judicial review by giving the D.C. Circuit jurisdiction to hear any challenge to the adequacy of the environmental impact statement. But the bill also states that the EIS "shall be considered to satisfy all requirements" of the National Environmental Policy Act. So, the court is told, you have jurisdiction, but here is what you are going to find; never mind your own judgment.

The bill also states as a matter of law that section 404 of the Clean Water Act, section 10 of the Rivers and Harbors Act, the Mineral Leasing Act, the Federal Land Policy and Management Act of 1976, the Migratory Bird Treaty Act, and the Endangered Species Act are all satisfied. So the fix is in before you ever get to court. I'm not sure what would be left for a court to review.

□ 1430

Mr. DENHAM. Mr. Chairman, I wish to yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you to the gentleman from California for yielding.

Many of my colleagues are correct. We do need a permitting process, but this bill is what needs to happen when the permit process breaks down. Keystone is going to create the tens of thousands of jobs that many of us in this Chamber go back to our home districts and talk about being created; but a piece of paper, with the lack of signature, is holding this up. Just this past week, our President stood and said he wanted to make sure that we shortened the time that permits like this take, that we shorten the process so that America can begin to put our trades and labor folks back to work again.

This, Mr. President, is your time in history in which you can sign this permit, create tens of thousands of jobs, and really prove to us that you're serious about reining in this regulatory process.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to a valued member of our committee, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. I thank the ranking member for the time. I also thank him for his longtime commitment to American energy independence.

I, too, share that. I have been the supporter of a bipartisan energy bill that brought environmental groups and The Heritage Foundation together and said maybe we can find some solutions to this. I have been a supporter of this

project from the beginning. The problem is, today, this bill has nothing to do with that. It has to do with politics. Today is an example of why this body is less popular than hepatitis amongst the American public. It's not only not going to do anything; it's going to set us back.

Many of us want this project done, but I have to tell you that the worst thing we can do is build this and have a problem with it. We hear about the number of pages of regulations that are there. Maybe we needed a couple more with BP, and we wouldn't have been cleaning up after that mess. You don't have to choose between building it and compromising safety. You do it right if we're going to do it. Unfortunately, that's not what we're doing. You deem it, and you give away those rights.

It's personal for me. I grew up in the Nebraska Sandhills. It was the good people of Nebraska and the Republican Governor who told us to step back, to slow down, and to pick a different route—and finished it in January of this year. So when you hear about all of the process, process gets it right. I have to tell you—and I do agree with my colleague on this—that there are jobs to be created here. We send \$1 billion a day for oil to countries that hate us. They'll hate us for free. Keep it here. We don't have to do this. There have also been delays in this project. This bill is a bridge way too far.

Be honest with the people—this is not by building it is going to lower gas prices. It's not the long-term solution to our energy needs. There is no guarantee we'll even get the oil in this country. But we can come together, build a piece of it, and expand our portfolio.

We shouldn't be muddying it up with wedge issues. The last time we had this vote, I voted with it all these times; but one time the political arm of my friends sent a notice out to my hometown newspapers asking why TIM WALZ wants to raise your gas prices and isn't with America. They forgot and got it wrong. I voted with them. That press release today is already written, and they're sending it back. It's not going to do anything except to hurt the American people's faith in our democracy. You're not going to get cheaper gas prices. You're not going to have this thing built overnight; you risk danger.

The American people aren't stupid. Don't treat them that way.

The CHAIR. The time of the gentleman has expired.

Members are reminded to heed the gavel.

Mr. DENHAM. Mr. Chairman, I wish to yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank Chairman DENHAM for yielding me this time, and I want to commend Chairman SHUSTER and the gentleman from Nebraska (Mr. TERRY) for bringing this bill to the floor at this time.

This is a very important bill. As Speaker BOEHNER said on the floor yes-

terday, it would create 20,000 direct jobs and about 100,000 indirect jobs. The State Department estimated 42,100 direct jobs, and these are American jobs. We have millions of people—too many millions—who are unemployed, Mr. Chairman, and many millions more who are underemployed, who are having to work at jobs far below their skills, talents, and abilities. This will create good American jobs. There would be 830,000 barrels of oil a day being piped down. By itself, maybe it wouldn't bring down gas prices, but it certainly would keep OPEC and some of these other foreign energy producers from raising their prices as fast as they surely would like to and have done in the past.

I can tell you that, if we don't pass this bill and similar bills to increase energy production in this country, all we're going to be doing is helping OPEC and other foreign energy producers. It's time we start putting our own people, our own workers first, start putting our own country first again; and we need to pass this bill to help in that process.

Mr. RAHALL. Mr. Chairman, may I have a time check.

The CHAIR. The gentleman from West Virginia has 8 minutes remaining. The gentleman from California has 7½ minutes remaining.

Mr. RAHALL. I yield 1½ minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership on this and in so many other areas.

I rise in opposition to H.R. 3. It is a very bad deal. It's bad for our environment, our energy policy, American workers, and a bad deal for America in general.

In the way this bill is written, a foreign company pumping a very dirty form of oil all the way across this country would not have to pay a dime into our oil spill liability trust fund the way that American companies have to do. Under this bill, the highly polluting tar sands that the pipeline carries would produce over 40 percent more carbon pollution than conventional oil and would increase America's dependence on one of the single dirtiest petroleum products there is just as the predictions of climate change catastrophes grow more dire each and every day, and that is just not right for America's future.

H.R. 3 leaves Americans with all of the risk of spills, environmental damage, and air and water pollution, but none of the lasting rewards. It's a bad idea and it's bad policy, and I urge my colleagues to vote against it.

Mr. DENHAM. There is a lot of confusion out there, obviously, on this very important issue.

Some would say, Canada oil? We currently bring 590,000 barrels per day from Canada through the current Keystone pipeline. Keystone XL just gives us an opportunity to have another 830,000 barrels.

Some would say, Why are you going to do this as this has never been done before? But my colleague has already voted for a piece of legislation like this dealing with the Alaskan pipeline in which they expedited the NEPA process, and it was affirmed by a voice vote of the entire House. When the project is right to get it done, it's right. These are American jobs that we need.

Mr. Chairman, I wish to yield 1½ minutes to the gentleman from Florida (Mr. RADEL).

Mr. RADEL. Gas and groceries. Ask yourself: Is there anything else that eats more into your budget day in and day out?

When we talk about your family budget, wouldn't it be great if your dollar could go further? Better yet, at least the prices could stay normal instead of changing every week.

Think about it: gas and grocery prices are all over the place. One week, you go pay for your gas and buy your groceries and maybe have some extra money in your pocket for date night on the weekend; but the next week, the prices shoot up, and you barely have enough money to pay for your rent.

But I've got great news—cheaper prices at the pump and a less expensive grocery bill start right here and right now with the approval of the Keystone pipeline.

This issue is really as bipartisan as you can get. Why? Because it means jobs, jobs, jobs. We're not talking Republican or Democrat, red or blue. We are talking about green, meaning more money in your pocket. In that bipartisan spirit, even union members support this pipeline because they know how many jobs will be created. With Republican leadership, we are going to get this done.

Union members, this is about you. This is about your opportunity, your job.

Not only is this about jobs; it's about our national security here in the United States.

Ask yourself: Do you really want to continue sending money to countries that really don't have the best intentions for us in mind, or do you want energy independence, meaning a safe and secure United States for you and your family for generations to come?

Of course, it's more money in your pocket the next time you go to get some gas in your car or buy your groceries. This is about you, your family, your dreams.

Mr. RAHALL. I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I wish to yield 1½ minutes to the gentleman from South Carolina (Mr. RICE).

□ 1440

Mr. RICE of South Carolina. Mr. Chairman, I rise today to express my support for this legislation. American competitiveness is my primary focus. The nameplate on my desk says: jobs, jobs, jobs.

We've created a regulatory morass in this country that stifles progress on all

fronts. We've got to get the government off the backs of our job creators.

When I hear that this project has been studied for more than 1,700 days—5 years, that it would create more than 40,000 jobs at a time when jobs are so desperately needed, and that it would drive down the cost of energy and cut our oil imports from OPEC in half, and that the State Department has reviewed it and found that it exhibits no significant environmental hazards, and yet the administration still refuses to issue the permits, I'm appalled.

We can study this project forever, and we will never resolve every possible question. This used to be a can-do country. If the administration will not make a decision, Congress should. Let's stop wringing our hands, approve this project and move forward.

Mr. RAHALL. Mr. Chairman, I'm pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), who, like me, is a supporter of the Keystone pipeline.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank our ranking member from the Transportation and Infrastructure Committee for allowing me to speak.

I've been a longtime supporter of the Keystone XL pipeline. I'm frustrated that the pipeline has still not been approved after four favorable environmental impact statements. It's time for the administration to approve the project.

I actually represent the refineries where most of the oil sands product will go. The fact is that these refineries will continue to seek supplies of heavy crude oil whether the Keystone XL pipeline is approved or not. The problem is that if the President does not approve the Keystone pipeline, he will force these facilities to continue to purchase oil from unstable, foreign countries with very few environmental regulations.

I want my Democratic colleagues to understand that even if we made all the investments we want to in alternative energy—and I support that—we still need to rely on oil for the next 25 or 30 years. This number comes from our administration. So if we have to purchase oil from somewhere, doesn't it make sense to purchase it from a province that regulates carbon?

I plan to support the bill this afternoon. But let me be clear about a couple of things: I support the bill because it's a message bill, and it's time for the administration to stop stalling and make a decision.

There are provisions of the bill I don't like. I do not support the precedent and policies laid out in section 4 through section 8. I also don't know why we continue to send bills that don't have a chance in the Senate except to tell them the House again will support the pipeline.

I hope this vote will put this issue behind us because I have 5 refineries in east Harris County that are ready to use that heavier crude because they're

importing it from other countries like Venezuela. I would rather import it from Canada, our closest neighbor.

Mr. DENHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as I think of this as a great opportunity for Oklahoma and the rest of the States.

In Oklahoma, we know the value of hard work, dedication to one another and making commonsense decisions when we're given the opportunity.

Common sense tells us that the Keystone pipeline should be approved. However, during my short time in Washington, I've found that common sense is one thing this town lacks.

My congressional district is one of the hardest-working in the Nation. The southern leg of the Keystone pipeline is a significant job creator and economic developer directly to our local communities.

Listen to these figures. The southern leg of the project is bringing in \$5 million a month in construction and other expenses, plus 1,000 jobs, into my State alone. Approving the northern leg will bring similar economic benefits to areas along the northern route. Every cup of coffee those workers buy in a small town adds up.

Completion of the pipeline would result in 830,000 barrels of oil a day from Canada and the Bakken oil fields in North Dakota and Montana. These are friendly and reliable North American sources. With the approval and completion of the Keystone pipeline, we will significantly reduce our dependency on crude oil from regions such as the Middle East and Africa.

Pipelines are a proven safe way to transport crude oil.

Our country is at a crossroads. Will we take the path that leads to energy independence, job growth, and prosperity, or will we continue to delay?

The Keystone pipeline is an opportunity for America to lead. The time has come to put the interests of the country first, not the party, and approve the Keystone pipeline.

Mr. RAHALL. Mr. Chairman, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman from California has 2¾ minutes remaining, and the gentleman from West Virginia has 5 minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chairman, 5 years and still no decision.

What does 5 years mean? Well, World War II, where we mobilized America, we went to war, we fought for our liberty and our national security on two fronts, thousands and thousands of Americans worked in our factories, went off to win a war in less than 5 years, but yet we can't get a decision out of the White House for 5 years on this project? Are you kidding me?

If we had to wait for the environmentalists to make up their mind, we

never would have built the Panama Canal.

This pipeline needs to go down to Texas near my district, 20 percent of the Nation's refineries. It's a national security interest.

Some of my friends on the other side have been bad-mouthing Canada. Let me tell you something. If the United States and Canada and Mexico can work together on an energy policy and make a North American energy policy, we can make Middle Eastern politics irrelevant. This pipeline will bring in as much crude oil as we get from Saudi Arabia.

Mr. President, pick a horse and ride it. Sign the deal.

The CHAIR. The Chair reminds Members to address their remarks to the Chair.

Mr. RAHALL. Mr. Chairman, I'm prepared to close, although I do have a couple of Members lurking in the hallway here somewhere threatening to come to speak. So maybe I'll slowly close unless the gentleman from California wants to use his time.

Mr. DENHAM. Mr. Chairman, I'm ready to close as well, and I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

We've had a short debate here, and I'm sure it will continue during the amendment process. My concerns are as I stated in my opening comments. The fact that we are deeming a foreign company the outright right, giving them a permit, without any further requirements or actions needed, is of deep concern to me.

As I said, I have many coal companies that mine in a responsible way in West Virginia. They've gone through the responsible processes of obtaining a permit. Granted, they're having trouble in some areas. At least they know that they have to obtain a permit to mine.

They're not asking to outright be deemed to have a permit without having to show how responsible they are in their operations. But in this legislation, to give a foreign company an outright application, is truly concerning to this particular Member who supports the pipeline project.

We had some discussion in committee last week about what I and others view as preferential treatment for a foreign company, and some on the majority side of the aisle refused to concede that TransCanada is a foreign company or even that Canada is a foreign country. You know what? The last time I checked, you do need a passport to enter Canada.

That's really beside the point, but I did want to raise it since I'm sure it will come up before this debate is concluded.

The point is that this bill waives a permit for such a major undertaking. And these companies that are producing these tar sands in Canada like Exxon, Shell, Valero, CNRL, Conoco for TransCanada, I daresay that they

have to obtain a permit from the Canadians to undertake such operations to build this pipeline, and now we're saying they don't have to in our country. For a foreign country, it is troubling that we would grant such a permit outright, to deem that they have met all safety and environmental requirements when we don't even do that for our own domestic companies.

With that, I would urge a "no" vote on H.R. 3 today, unless of course during the amendment process my amendment, which is to strike section 3, were to miraculously be adopted by this body. Then, perhaps, I could support the legislation. But other than that, I urge a "no" vote on the legislation.

So I yield back the balance of my time.

□ 1450

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

A lot has been talked about here, but let me get back to the facts. This legislation, if passed, would be passed in the same way as in 2004 when the Alaskan natural gas pipeline was passed by the entire body on a voice vote. Members who are complaining about this bill voted for that very same type of legislation. The thing that gets talked about is the pipeline was deemed. That legislation was deemed. The pipeline was deemed to be in the national interest. This is in our national interest—energy independence, American jobs. There is a reason to expedite this, let alone waiting 5 years. We can't afford to wait another 5 years to have an expedited NEPA process like it was that the gentleman had supported in the past.

It has been talked about that this is a Republican bill; it's a Republican end-around. Yet the AFL-CIO is supporting the bill; the National Brotherhood of Teamsters; the International Union of Operating Engineers; the National Electronic Contractors Association; as well as the U.S. Chamber and National Taxpayers Union.

This is about American jobs. Whether you are union or nonunion, whether you're a member of the Chamber of Commerce or not, this is about getting people back to work and being energy independent.

This is a bipartisan bill that simply cuts through the very red tape that the President continues to complain about and helps this Nation realize the benefits of this project, the energy independence of our Nation. Mr. Chairman, I encourage all Members to support this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of the Keystone pipeline and in strong support of the Northern Route Approval Act, which will finally make this project a reality for the American people.

There may be a few of my colleagues who are tired of Keystone bills, but the

American people are also tired. And they're tired of \$3.70 a gallon of gasoline. They're tired of unemployment above 7 percent. They're tired of 4 years of delays that continue to block this critical jobs and energy project. Remember that the President said only last year that he would do "whatever it takes" to create U.S. jobs.

Every stated reason for previous delays has now been addressed—most recently, a reroute of a portion of the pipeline through Nebraska. In fact, you can count Nebraska's Governor among the many Americans who want to see the Keystone pipeline built. And while some may try to make this a partisan issue here in the Congress, it is not a partisan issue across the country, with a majority of Americans—Democrats, Republicans, Independents—supporting the pipeline, including a vote last March on the Senate budget.

I give credit to President Obama for saying some of the right things as of late. Just last week during a visit to Baltimore manufacturer Ellicott Dredges, at that factory the President declared:

One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are these permits and red tape and planning and this and that, and some it's important to do, but we could do it faster.

Those are his words.

Well, guess what, the very day before, the president of that same company was here on Capitol Hill testifying in support of the Keystone pipeline and how it would help his business. The President has it exactly right, and Exhibit A is the Keystone pipeline.

Some are trying to claim this bill is an unprecedented attempt to rush the process. Give me a break. In truth, the only thing that is unprecedented is the lengthy delays we have already encountered for a project that has been the subject of over 15,000 pages of Federal environmental review and, yes, found to be safe.

Congress faced much of the same dilemma 40 years ago when the Federal red tape was holding up a project called the Alaska pipeline. At the time, Congress realized that the bureaucratic process had gotten out of hand and that a pipeline that was clearly in the national interest was being subjected to never-ending delays. But thanks to the bipartisan 1973 Trans-Alaska Pipeline Authorization Act, the red tape was cut, the ground was broken, and the project was built. It became an incredible success story, a game-changer for American energy policy, providing thousands of jobs, billions of barrels of oil while safeguarding Alaska's environment. Guess what, H.R. 3, this bill, takes much of the same approach for the Keystone pipeline.

Unfortunately, while the delays over the Keystone grow longer, so do the excuses. Some argue that Keystone won't create very many jobs and most of them would be temporary. Tell that to the labor unions and the American



workers who are begging for this pipeline to be built. Even the administration's own State Department found that Keystone would support over 40,000 jobs during the pipeline's construction. That's a lot of jobs to me. And the paychecks created by the Keystone pipeline would be paid for by the private sector, not taxpayer dollars.

Some also claim that Keystone won't impact gas prices. Well, the law of supply and demand still stands. Keystone is going to deliver up to a million barrels a day of Canadian oil to American refineries. And remember, already today, we're getting 1.5 million barrels from Canada from the oil sands.

So if the pipeline isn't built, guess what, the oil is going to come by truck or by rail, certainly a riskier form of transport, not nearly as cost efficient as the Keystone pipeline would be. This will be the most technically advanced and safest pipeline ever constructed. It will cost probably \$4 million to \$5 million a mile, adhering to the new pipeline safety standards that we worked together on on a bipartisan basis, signed by the President last year, adding 57 additional safety standards specific to the project. So for that reason, Mr. Chairman, we need to support the bill.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself 3 minutes.

Today, the House Republicans are making their fourth attempt in 2 years to grant special treatment to TransCanada's Keystone XL tar sands pipeline. That's what happens when you let the oil companies set the agenda.

Rather than tackling the real problems facing American families, we're passing legislation to exempt a foreign company from the rules that every other company in America has to follow. And, of course, last week we voted for the 37th time to repeal the Affordable Care Act. We're trampling our rule of law to speed Canada's dirty tar sands oil to the gulf, where it can be refined and sent to other countries tax free.

That's great for the tar sands developers and refiners, like the Koch brothers and Valero, but this bill will hurt American families. It won't lower gas prices by a single penny, and it may even raise them. It will lock us into more global warming and risk our farmlands and our water supplies. No wonder Americans are cynical about Congress.

I oppose the Keystone XL tar sands pipeline because it will worsen climate change.

Keystone XL will lock the United States into decades of dependence on dirtier tar sands crude, reversing the carbon pollution reductions we have been working so hard to accomplish. Experts tell us that this Keystone XL will triple production of the tar sands, and that's simply not consistent with any future scenario for avoiding catastrophic climate change. We don't need

it. We have our own sources of oil here in the United States, and we're using less oil because of our efficiency in new cars that are getting better mileage.

So I oppose this bill for these reasons; but even if you support the pipeline, you should oppose this bill.

□ 1500

H.R. 3 is an extreme bill. It grants a regulatory earmark to TransCanada, exempting it from all environmental requirements. It's also unnecessary. The State Department is carrying out their review of this highly controversial project.

H.R. 3 would approve the pipeline by fiat, lock out the public, eliminate the President's authority to balance competing interests, and stop Federal agencies from ensuring that, if the project does go forward, we do it as safely as possible.

The Keystone XL tar sands pipeline is a bad deal for America. We get all the risks, while the oil companies reap the rewards.

But even if you support it, this bill is harmful and unnecessary, and I'd urge my colleagues to vote "no" on H.R. 3.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, at this point I yield 2½ minutes to the gentleman from Nebraska (Mr. TERRY), the sponsor of the bill.

Mr. TERRY. Mr. Chairman, I rise in support.

Let me quote the President from his speech last week: "Today, I'm directing agencies across the government to do what it takes to cut timelines for breaking ground on major infrastructure projects in half. And what that will mean is construction workers will get back on the jobs faster. It means more money going back into local economies. And it means more demand for outstanding dredging," the particular business that he was visiting that day.

The President's right. But look at the Keystone project that he has purposely denied at one time, and now is delaying ad infinitum.

So the nearly 1,705 days is more than double the time that the traditional transborder pipelines have taken. What this is is a \$7 billion privately funded infrastructure project that puts, immediately, 20,000 workers, 2,000 of which come from my State of Nebraska, downstream. With the new expansion of refineries, that could go up to 118,000.

You have to ask, when there's been two other times in history, two of them both supported by the Democrats, sponsored by the Democrats, that were doing the same thing that this bill is, this isn't breaking new ground. These were the Alaska natural gas pipeline and the transatlantic pipeline. Both are doing the same things that are here.

So you have to ask the question, why, Mr. Chairman, has it taken 5 years to get to the point where all of the studies are done and completed,

but yet they're still finding ways to delay?

We know what it is. The agenda has been taken over by the left-wing extremists. The NRDC and the extreme environmental groups are dictating the delay here in the hopes of killing it. They have stated that their hope is to kill. That's their number one issue, to kill this pipeline, and then they're going to go after other things after this is done.

So that's what the real agenda is here. So let's stop saying that this is just an extraordinary piece of legislation. This is modeled on past pieces of legislation where delays and bureaucratic morass has delayed them, and it's time, after almost 5 years, to get the Keystone pipeline working and the people working.

Mr. WAXMAN. Mr. Chairman, I'm pleased now to yield 3 minutes to the gentleman from Illinois (Mr. RUSH), our ranking member on the Subcommittee on Energy.

Mr. RUSH. I want to thank the ranking member for yielding.

Mr. Chairman, I strongly disagree with the majority side's process of trying to usurp President Obama's authority by immediately approving the Keystone XL pipeline, even before the State Department of the United States of America completes its due diligence, as our laws require.

Mr. Chairman, this is not an issue about jobs for Americans, but, rather, it is a question of whether this Congress should exempt one foreign company from the laws of America.

This bill is about seizing power from the President of the United States. This bill is about curtailing all Federal and environmental permitting requirements. This bill is about limiting the ability of average U.S. citizens to seek justice through the court system of our Nation.

Mr. Chairman, H.R. 3 will remove the Keystone pipeline out of the jurisdiction of State and local courts and will give only one court, the D.C. Circuit Court of Appeals, exclusive jurisdiction over this project, causing undue hardship on ordinary American families, small businesses, and landowners who may or may not have the resources to retain a D.C. lawyer, to travel to Washington, D.C., in order to have their American legal rights heard by this American justice system.

Mr. Chairman, I sought to amend this atrocious bill. My amendment would have struck section 4, the judicial review clause, so that ordinary American citizens could keep their legal rights intact, but my Republican colleagues wouldn't allow us to vote on that amendment here today in full view of the American people.

Mr. Chairman, as the White House notes in its Statement of Administration Policy, and I quote: "H.R. 3 conflicts with longstanding executive branch procedures regarding the authority of the President, the Secretaries of State"—

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman 30 more seconds.

Mr. RUSH.—“the Interior, and the Army, and the EPA Administrator. In addition, this bill is unnecessary because the Department of State is working right now diligently to complete the permit-decision process for the Keystone XL pipeline. The bill prevents the thorough consideration of complex issues that could have serious security, safety, environmental, and other ramifications.”

Mr. Chairman, I share these concerns of the President and, for that reason, I urge all of my colleagues to vote against this egregious bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the chairman of the Energy and Power Subcommittee.

Mr. WHITFIELD. Thank you very much for yielding. And I would reiterate, once again, that the application to build the Keystone pipeline was filed on September 19, 2008. Since that time, over 15,500-and-some-odd pages of environmental studies have been conducted.

As a matter of fact, the Secretary of State, who is involved because this pipeline crosses international boundaries between Canada and America—and by the way, if this pipeline was to be built only in America, it would have been approved a long time ago. The only reason it has not been approved is because President Obama has made a decision not to approve it.

Labor unions support it. Every time we've had a hearing, the four international labor union presidents have come and said, We want this pipeline. Not one dime of Federal or taxpayer dollars will be in this pipeline, a \$8 billion project, 20,000 jobs.

We have the opportunity to be independent for our energy needs in America. The International Energy Agency said just recently that more oil will be produced in America by 2020 than even in Russia today. And with this pipeline coming in, the additional pipeline oil that will be coming from Canada, we have an opportunity to be independent even more quickly perhaps.

□ 1510

Our friends on the other side of the aisle say, Well, one reason we are opposed to this is because this oil, when it gets to Port Arthur, Texas, will be exported. The head of the Department of Energy's Office of Policy and International Affairs wrote a letter just recently saying that there's no economic incentive for any of this oil to be going anywhere other than in America.

They've also said that it will not reduce gasoline prices. In this same letter, the gentleman says, We expect Midwest gas prices to go down if we build this pipeline.

So the American people support this pipeline. It'll produce jobs, it'll help

control gasoline prices, and it won't be exported. I would urge everyone to support this important legislation today and pass the Keystone pipeline legislation.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from the State of Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, we are privileged to be Members of the single legislative body in the entire world that has the greatest opportunity to actually address the biggest challenge humankind has ever faced: the warming of our tiny planet and the devastating consequences that will follow.

I'm not asking anyone to agree that humans are the cause. I'm only asking that, regardless of the cause, adding more carbon to the atmosphere does put our lifestyles and, ultimately, the lives of generations at peril. No one will view this notion as radical in the near future, and we will all be judged.

We can choose now to shift toward cleaner fuel sources that will make our country forever energy independent, or we can continue to leave American consumers subject to unpredictable oil prices and severe public health and climate change. Our atmosphere can only absorb about 565 gigatons more of carbon dioxide before global temperatures rise 2 degrees Celsius. If that happens, the planet faces catastrophic consequences. Keystone XL would push us toward that cliff.

TransCanada's application is to run a pipeline filled with the dirtiest oil through the middle of our country, refine it, and then export it on the world OPEC market. Even those who support the pipeline should agree to examine the consequences of its construction. This bill would prevent that from even happening.

I ask my colleagues to take your heads out of the tar sands and let's all work together to collaboratively address the crises that we face. We can meet our energy and environmental challenges together.

Mr. UPTON. Mr. Chair, may I ask how much time we have remaining?

The CHAIR. The gentleman from Michigan has 6 minutes remaining. The gentleman from California has 6½ minutes remaining.

Mr. UPTON. I yield 1 minute to the chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. Let me say before I rise in support of this particular piece of legislation that if we want to have a debate on global warming, let the record show that the greenhouse gas emissions in the United States are at the lowest level since 1995. That's without cap-and-trade. That's without command and control. It's based on the ingenuity of the American people and the market at work here in the United States.

The Keystone pipeline would simply make it possible to take oil from Canada and transport it down to the gulf coast of the United States to be refined into products that would either be sold in the United States or, in some cases, perhaps exported overseas. It would create tens of thousands of jobs in the construction phase and maintain, and probably increase, the number of jobs in our refinery and petrochemical complex on the gulf coast of the United States.

It's a good piece of legislation. Only in America would this be controversial. It's a win for the Canadians, it's a win for the consumers in America, and it's a win for the workers in America that would be able to do the construction and also work in the refineries in those particular industries.

So I would rise in strong support, and I hope that we support Mr. TERRY's bill and send it to the other body.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 1½ minutes to my colleague from the State of California (Mrs. CAPPs).

Mrs. CAPPs. I rise in strong opposition to H.R. 3. The Keystone proposal itself is a bad idea. This bill simply makes it worse.

It's no secret that we are dependent on oil and other fossil fuels for our energy needs. But it's also no secret that this dependence is polluting our planet, harming public health, and threatening our national security. But rather than reduce this dependence, H.R. 3 and the Keystone pipeline just make this problem worse.

We have the greatest innovators and entrepreneurs in the world and they're eager to build a sustainable energy future, but they can't do it on their own. Instead of doubling down on fossil fuels, we should be encouraging development of clean, renewable energy resources and technologies. These investments protect our planet for future generations and they improve the health of our friends and our family. And they create permanent, local jobs that can't be shipped overseas.

Finally, there's no denying that construction of this pipeline would create jobs, but they're mostly temporary jobs. And while we're facing estimated job losses of 750,000 due simply to sequestration, creating a few thousand temporary jobs, though helpful, does not constitute the comprehensive jobs legislation our Nation really needs. This Congress needs to take steps to move to a clean energy economy and create millions of permanent jobs right here in the USA that cannot be shipped overseas.

Mr. Chairman, H.R. 3 is a giant step in the wrong direction on both counts. I urge my colleagues to vote “no.”

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Chairman, it has been 1,706 days since the

Keystone XL application has been submitted to our State Department. Instead of moving towards energy independence and job creation by approving this pipeline, we've learned that this administration has been spending its time wiretapping journalists and targeting conservative groups for their political beliefs.

Within the past 10 days, the Obama administration has spent much more time defending its violations of the First Amendment than seeking to add 830,000 barrels of product per day. The White House seems to care more about their own jobs than the 20,000 direct jobs and 100,000 indirect jobs created by the Keystone XL pipeline. This behavior is simply unacceptable.

Mr. Chairman, it is time that this body take action to bolster our economy, move our Nation towards energy independence—areas where this President has failed miserably.

I urge my colleagues to support H.R. 3.

Mr. WAXMAN. Mr. Chairman, I yield 1 minute to another Member of the House from Georgia, the very distinguished gentleman, a member of our committee, Congressman JOHN BARROW.

Mr. BARROW of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I'm a proud cosponsor of this bill with my colleague from Nebraska (Mr. TERRY). These are the main reasons why:

First, this pipeline will move an estimated 840,000 barrels of oil per day. That's about how much we import every day from Venezuela. Any policy that allows us to bid good riddance to countries like Venezuela is a good policy in my book.

Critics say that it will increase our dependence on oil as our primary source of transportation energy, but we're already totally dependent on oil for our transportation energy. This pipeline will only make us less dependent on hostile rivals and more reliant upon friendly allies for the transportation energy that we need.

Critics say it will increase CO<sub>2</sub> emissions, but this oil is going to be produced and refined and consumed by somebody. The only question is whether we get first dibs on it or whether or not we move to the back of the line behind countries like India and China for our own North American oil.

For all these reasons, I urge my colleagues to support this legislation today and once and for all make the Keystone XL pipeline a reality.

Mr. UPTON. Mr. Chair, I yield 1 minute to the vice chair of the Energy and Power Subcommittee, the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from Michigan for yielding. I thank Congressman TERRY from Nebraska for bringing this bill forward.

I rise in strong support of the bill to green-light the Keystone XL pipeline. Look at the facts about what this means to America: 20,000 jobs imme-

diately and energy security. We're going to be getting 830,000 barrels of oil a day from a friend in Canada that we don't have to get from Middle Eastern countries who don't like us.

Of course, what's the answer by President Obama? For 5 years now, he said "no." He said "no" to American jobs and he said "no" to American energy security just because some radical environmental extremists have told him that they don't want this. But even the labor unions say they want this.

□ 1520

Of course, who's to benefit by the United States not doing the Keystone XL pipeline? China. China wants those jobs. And if President Obama gets his way, China will get those jobs. We don't want China to get those jobs. We want America to get the 20,000 jobs and the \$7 billion of private investment.

How can this happen? With the stroke of a pen. Today, President Obama can approve the Keystone pipeline, but he won't. So if he won't, then here Congress is taking action to get those 20,000 jobs. Instead, we ought to approve this bill and get the Keystone XL pipeline built.

Mr. WAXMAN. Mr. Chairman, I now yield 2 minutes to our colleague from New York (Mr. TONKO), the ranking member of one of our Energy Subcommittees.

Mr. TONKO. I thank the gentleman from California.

Mr. Chairman, we are once again debating a bill that, thankfully, will go no further than this House.

Even if you support the pipeline, this bill is the wrong approach to build it. This bill elevates the financial needs of tar sands developers and the pipeline's builder above the needs and concerns of the citizens who live along the pipeline's path.

I regret that my amendment on pipeline safety was not made in order. We now have ample evidence from the disastrous spills in Kalamazoo, Michigan, and Mayflower, Arkansas, that concern about pipeline safety is well justified.

Cleaning up a spill is an expensive and difficult task. Three years after the spill in Kalamazoo, the oil is still not cleaned up. Families evacuated from their homes in Mayflower are still living in temporary housing. The spill is not just messy; it is dangerous. The fumes, liquids, and the solids are a toxic brew. The resources damaged by these spills will take years—probably decades—to restore.

Congress recognized the unique nature of diluted bitumen and asked the National Academy of Sciences to examine questions related to its safe transport and to assess the adequacy of current pipeline safety regulations. This information would be valuable, especially in light of these recent spills; but we are not waiting for it. And if the proponents have their way, we will have no opportunity to act on any recommendations that NAS may provide.

This bill promotes reckless development of a pipeline that provides little public benefits to our citizens while increasing the risk to their communities, their property, and to our natural resources. We should not bypass our laws and the administration's process for evaluating this project.

With that, I urge my colleagues to reject H.R. 3.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON), a member of the Energy and Power Subcommittee.

Mr. OLSON. I thank the chair of the Energy and Commerce Committee, and I rise today in strong support of H.R. 3, which would approve the Keystone XL pipeline.

The Keystone XL pipeline has been studied ad nauseam. It's now been 1,706 days since the application to build the Keystone XL pipeline was submitted to the Obama administration.

The Keystone XL pipeline is nearly 1,200 miles long. At the average speed a human being could walk—three miles an hour—it would take 393 hours to walk the pipeline's route. That means you could walk through the entire pipeline route round trip about 53 times in the days since the application was submitted for approval. At least walking would be some sort of action.

America needs action. America needs 20,000 jobs. America needs 800,000 barrels a day coming from Canada. America needs national security that comes from energy security. America needs the Keystone XL pipeline. Let's pass this bill now.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. GARDNER), a member of the Energy and Power Subcommittee.

Mr. GARDNER. I thank the chairman for yielding time and leading this great debate.

You know, we've heard a lot of talk today about job creation, about the number of jobs that would be created by the Keystone pipeline.

As somebody who actually lives above the Ogallala Aquifer, I hate to break it to people in this Chamber who apparently don't believe it, but we actually have pipelines already above the Ogallala Aquifer.

We have jobs being created right now because of energy opportunity in the United States and Canada. The fact that we can create 20,000 jobs is a good thing, the fact that the National Federation of Independent Businesses support this pipeline; The U.S. Chamber of Commerce, manufacturers, the labor unions support the construction of this pipeline.

It saddens me to think that this debate has come down to a debate over job snobs, people who believe that these aren't the kinds of jobs that we want, the kind of people that we want working on these jobs. It's not about whether this is a pipeline that is good

or bad for the environment. It's people who believe that these aren't the kinds of jobs that we want in this country. I think it's a shame that we're having that debate on the House floor right now.

These jobs are good enough for America. These are the kinds of jobs that we want—high-paying jobs to put people to work, to feed families, to present opportunities for the American people in a country that has seen unemployment far too high for far too long.

It's time the hijacking of this agenda ends. Let's develop our own energy in North America.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how many speakers there are on the other side.

Mr. UPTON. Mr. Chairman, may I inquire as to how much time we have left on our side.

The CHAIR. The gentleman from Michigan has 1 minute remaining. The gentleman from California has 2 minutes remaining.

Mr. UPTON. We have two speakers—unless you'd like to yield some of your time to us. We still have two speakers. Do you just have one speaker left? Why don't you do one speaker, then we'll do one—one-one-one, and finish up.

Mr. WAXMAN. I reserve the balance of my time.

Mr. UPTON. I yield 30 seconds to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I rise in strong support of H.R. 3.

Construction of the Keystone XL pipeline is a significant element of America's all-of-the-above energy policy that will help lower energy costs, create jobs, and reduce our dependence on dangerous sources of foreign oil. It's supported by business and labor alike.

Mr. WAXMAN. Mr. Chairman, I yield myself the balance of my time.

Killer tornadoes in Oklahoma, Hurricane Sandy in New York and the Northeast, droughts in the southwest part of this country, record heat waves are now the new normal. We've seen floods; we've seen wildfires. Haven't you noticed that we've been experiencing a change in the climate? And it hasn't been good.

We don't know if all of this is because of greenhouse gases. We do know enough, however, that we don't want tar sands oil to take a chance with the only planet we live in.

We want jobs. Of course we want jobs. And we don't say jobs are not good enough if they're working in the pipeline construction. But we also want to protect this country and this planet; it's the only one we have.

The tar sands are the dirtiest oil we can possibly get. We don't need it. We shouldn't go after it and put ourselves at a greater dependence on a source that will pollute this planet with more greenhouse gases, more carbon emissions, and more climate change. That will not be something we can look at with pride.

I urge my colleagues to vote against this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. JOHNSON).

The CHAIR. The gentleman from Ohio is recognized for 45 seconds.

Mr. JOHNSON of Illinois. I thank the chairman for yielding.

It's coincidental that here we are talking about the environmental concerns that have been overexaggerated about the Keystone XL pipeline.

I stand in strong support of H.R. 3. The President himself has acknowledged that the environmental concerns have been overexaggerated. This is the right thing to do for America. This is a job-creating opportunity. This is an opportunity to take energy resources from a friendly ally in Canada, use it here in America, or make sure that it goes to our friends and our allies rather than our competitors, like the Chinese.

Mr. Chairman, H.R. 3 is an important step forward in bringing energy independence and security to America, and I urge my colleagues to support it.

□ 1530

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act. This important legislation would remove roadblocks to allow for the approval and construction of the Keystone XL pipeline—a project that is vital to America's energy future.

The Keystone XL pipeline has been tied up in red tape by the Obama administration for nearly 5 years. Just over 1,700 days ago, the application to build this important energy project was submitted to the State Department, and for 1,700 days the American people have been waiting for the Obama administration to stop leading from behind.

This bill will create tens of thousands of American jobs, it will lower energy prices, the building of it will invest billions of dollars into our economy, and it will make America more energy secure. The Keystone XL pipeline will transport over 800,000 barrels of oil per day from Alberta, Canada, down to American refineries in the Gulf of Mexico. That's half the amount that the U.S. imports from the Middle East.

This bill was approved by the Natural Resources Committee with bipartisan support. The provisions under our jurisdiction will help ensure that the construction of this pipeline takes place in a timely manner without threat of lawsuit or unnecessary delay by the Secretary of the Interior.

This important project has gone through extensive environmental reviews, including two separate EIS's and over 15,000 pages of NEPA reviews. President Obama's own State Department has stated that this project will have no significant impacts on the environment. There is no credible reason for the President to continue holding up this project.

That is why this project enjoys bipartisan support in both the House and the Senate. This is not a Democrat issue; this is not a Republican issue. Energy security and job creation is an American issue. This administration is the only roadblock that's standing in the way of American jobs, lower energy prices, and increased American energy security.

The Northern Route Approval Act makes the Keystone XL pipeline a reality. It declares that no Presidential permit shall be required to approve this pipeline and prevents the Obama administration from imposing further delays.

I urge my colleagues, Mr. Chairman, to support this important legislation, and I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

Let me begin where the gentleman from California (Mr. WAXMAN) completed his remarks.

We are experiencing climate change. It is very expensive in lives and dollars. It is the result of the way we produce and use energy. We must make these points clear. What we are talking about with this legislation is going further down this dangerous, deadly road.

Now, beyond that, this legislation we are considering today represents a complete disregard of the effect of tar sands oil on our environment and our economy. This bill would ask the United States to bear all of the environmental risk without any appreciable rewards.

Less than 2 months ago, in Mayflower, Arkansas—a typical American small town—the 2,234 residents of that Arkansas River town learned what we mean by "risk" from an oil pipeline. As much as 7,000 barrels of oil spilled into neighboring communities and the environment.

This oil was tar sands oil. This pipeline was part of this Canadian pipeline system that we are talking about today. But rather than ensuring that, if we're going to build the Keystone pipeline to transport this dirty, particularly dirty, oil across the United States, that we first ensure that we have proper protections for our environment, this bill would take us in completely the opposite direction, while doing nothing to ensure that Keystone oil would enhance our energy security. There's nothing whatsoever in this bill to require that the Keystone oil actually stay in the United States.

The jobs that will be created by this, according to the Environmental Impact Statement prepared by the U.S. State Department, the jobs that would be created over the long term number in the few dozen—like 35—not in the thousands. Yes, there will be some construction jobs—and I want to assure our working Americans that we want jobs for them—but we want sustainable jobs that come from clean energy. They are available—they are available today—if we would stop going down this mistaken road.

The proposed pipeline would transport tar sands oil from Canada through the United States to free trade zones in Texas for export. All risk, no reward. We are just a bypass. This is not oil that's coming to improve the lives of Americans, to give us energy to power our cars or our industries. No. This is just passing through us, with the risk of a spill, with the problems to the environment that might result. It ignores the lessons of the recent Exxon pipeline spill in Arkansas and the tar sands spill in Michigan. It does nothing to close a loophole that currently allows tar sands oil to avoid paying taxes into the oil spill cleanup fund—that's right—because this bitumen, this product that comes out of the tar sands, is defined as "not oil" for the purposes of paying into the oil spill liability trust fund. So, it gets a free ride through the United States on its way to foreign countries.

If we're going to consider this bill, at least let's use it as an opportunity to close the tar sands loophole and ensure that when the oil spills occur—I'll grant to the other side that this may be a safe pipeline, but there is no such thing as a perfectly safe pipeline—and when the oil spills occur, let's have the money there to clean it up.

This bill goes on to declare that a Presidential permit is not required for a trans-border project and that all requirements of the National Environmental Policy Act, the National Historic Preservation Act, the Endangered Species Act, and the Migratory Bird Treaty would be deemed to have been satisfied, even if they haven't been satisfied.

This is a bad deal for our country. This legislation does nothing to guarantee our energy security. All risk, no reward.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the chairman of the subcommittee dealing with this legislation, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the chairman for yielding.

Mr. Chairman, I rise in strong support of this legislation. From day one, the Obama administration has inexplicably put up roadblock after roadblock to prevent the construction of the Keystone pipeline, a pipeline that would create tens of thousands of American jobs and securely bring 800,000 barrels of oil a day to American consumers. These numbers are according to the administration's own Departments of Energy and State. This project also would lead to billions of dollars of investment into the U.S. economy.

Besides obstructing the construction of the northern portion of the pipeline, President Obama had no shame in taking credit for construction of the southern section of the pipeline, which did not require his approval. Sadly, Canadian Prime Minister Stephen Harper

has announced that due to delays by the Obama administration, Canada has no choice but to consider alternative options for bringing its oil to market, including constructing a pipeline from Alberta to the Pacific coast for export to China. If we don't take advantage of this opportunity, somebody else will—probably China.

After four Environmental Impact Statements, all of which have concluded that there will be minimal environmental impacts, the administration continues to stall construction of the pipeline.

□ 1540

It would lessen our dependence on foreign oil from dangerous parts of the world by integrating our friendly northern neighbor into our energy economy. With each day that passes, we slowly lose one of the best opportunities this country has had in a generation to secure our energy independence. Since the President refuses to act, Congress will. The Northern Route Approval Act removes the President's veto and will ensure that, after years of extensive studies, construction of the pipeline can move forward so America can begin to benefit from this tremendous opportunity.

I urge the adoption of the act.

Mr. HOLT. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), a senior member of the committee and one who understands that this pipeline does not help our energy security and puts our environment at risk.

Mr. DEFAZIO. I thank the gentleman for yielding.

Repetition has become sort of the cause celebre here in the House of Representatives. Last week, we totally repealed ObamaCare for the fourth time, and 33 other times we partially repealed it. Of course, none of those things have come true or have happened.

This will be the seventh attempt by the House of Representatives to expedite—in this case, they've gone one step further—or to mandate the building of the XL pipeline. That's right, mandate. We're going to deem that an Environmental Impact Statement done on a very different route is good for this pipeline. Now, if you follow that logic, we could just have one generic Environmental Impact Statement for any project anywhere in the United States of America, and Congress could just deem it to have met the law and the environmental requirements. That's incredible to go that much further in this political dealing here.

Now, what's going to happen?

The Canadians, sadly, apparently, are going to destroy their boreal forests, which are irreplaceable, to extract one of the dirtiest fossil fuels. They're then going to ship this tar sands oil through a pipeline crossing the United States of America, which, as the gentleman said, will be exempt from the excise tax that all other oil companies and pipeline

companies pay—American companies and some foreign companies, but everybody else pays it. They will be exempt. They will not contribute to the oil spill liability trust fund. It's going to go to a refinery located in a foreign trade zone that is not paying export taxes, and that refinery is half owned by the Saudis.

And this is going to give us energy independence and lower prices. I mean, is it April Fool's Day? Really? Come on.

This is not going to give any American a single penny off per gallon at the pump. Right now, we are in the annual traditional Memorial Day price gouging by the oil industry. It just happens magically every May that they're up to do a little periodic maintenance or unexpected maintenance on their plants. Gasoline has gone up 50 cents a gallon on the west coast in the last 3 weeks. This is not a free market. It is a manipulated market. We pay the so-called "world price." So even if this refinery does produce—and it will export—this product, it's not going to lower the world price because the Saudis over the last couple of years have tracked our increased oil production with decreases in their oil production to keep the prices high.

There are things we could do to bring real relief to American consumers—get the speculators out of the market and a number of other things—that would provide more immediate relief. This will not provide relief. It will not be a boost for our economy. Yes, there are temporary construction jobs, but guess what? We could create a heck of a lot more construction jobs in this country if we met our obligations to better fund the Surface Transportation Trust Fund and began to deal with the crumbling infrastructure in America. Those would be real jobs that would really benefit this country.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to a member of the Natural Resources Committee and a subcommittee chairman, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, ever since the Arab oil embargoes of the 1970s that ravaged our economy and produced mile-long lines around gas stations, an avowed goal of our Nation has been to reduce our reliance on Middle Eastern oil.

In addition to the thousands of jobs and billions of dollars of economic activity, the Keystone pipeline will bring up to 830,000 barrels of Canadian crude oil a day into the American market—about half of what we currently import from the Middle East. Now, that bears repeating. The Keystone pipeline could cut our reliance on Middle Eastern oil by half all by itself. The left makes much of the fact that our markets are international and that some of that oil might enter that market. Well, that's possible, but I think it is far more likely that it will push Middle Eastern oil out of the American market.

The fine point is this: In the next international crisis, would you rather rely on Canada or Iraq to meet our petroleum needs?

Mr. HOLT. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUFFMAN), who understands that oil passing through this country on the way to other countries does not improve our energy independence.

Mr. HUFFMAN. I thank the gentleman.

What a wonderful bill if you happen to be the Canadian oil company that reaps all the benefits, but it comes at the expense of the American economy and the global environment. We should reject this bill out of hand.

This sweetheart deal approves the northern route of the Keystone XL pipeline and exempts it from the rigorous public analysis and scientific standards that American companies are held to, including the National Environmental Policy Act, the Clean Water Act, and the Migratory Bird Treaty Act, among others. Bear in mind that tar sands oil is already exempt from paying into the trust fund that covers oil spill cleanup.

So with this bill, my colleagues are saying we should have no front-end environmental protection for this project and no backstop funding for when things go wrong—and things will go wrong. You just have to look at what happened at the Mayflower, Arkansas, spill a month ago. When that happens, American taxpayers are going to be on the hook for cleanup, and where is the offset for that? Meanwhile, TransCanada, the Canadian corporation proposing to build this pipeline, is on record before the Canadian energy board as saying that this project will increase the price of oil in the United States.

So let's be very clear about what we are doing. This House is considering a bill to cut corners for a foreign corporation to transport dirty fuel and raise gas prices for Americans. Why would we spend our time on this? Well, we're told it's about jobs, but the fact is we don't even know how many jobs this pipeline project will create. The estimates are all over the map. You could believe Fox News, which says it will create a million jobs, or TransCanada, which says around 13,000 construction jobs, or the State Department, which says it will directly create fewer than 4,000 jobs, and fewer than three dozen of those will be permanent jobs.

We don't even know the massive security risks and security costs that this project will foist upon the American taxpayers. At a minimum, we should approve the Connolly amendment to, at the very least, generate a threat assessment if this bill is to move forward.

This bill, colleagues, is a betrayal of our priorities as Members of the United States Congress.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1

minute to another member of the Natural Resources Committee, somebody who understands the oil industry well, the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as a proud Oklahoman, calling for this body to act on a commonsense bill that will put this country on the path to energy independence.

The Keystone XL pipeline's southern route, which runs directly through my congressional district, is already creating good-paying jobs back in Oklahoma. I have seen with my own eyes how it is putting millions of dollars directly into the economies of small towns in my district.

Mr. Chairman, this is a time for Congress to act. This project has been delayed long enough. We have studied the environmental impact of Keystone over and over again. We know that we can safely transport crude oil from our friends in Canada and sources in the U.S. to our refineries along the gulf coast. EPA's latest opposition to the State Department's recent environmental impact review of this project is more of the same from this administration, which continues to claim it supports an all-of-the-above approach but fails to follow through when it's time to act.

Let's put our country on the path to energy independence and off foreign oil from those countries that do not have our best interests in mind. I urge my fellow Members to do what is right, not for the party, but for this country and to vote for H.R. 3.

□ 1550

Mr. HOLT. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Florida (Mr. GRAYSON).

Mr. GRAYSON. Mr. Chairman, I urge the Republicans on the other side of the aisle to stop faking it. We have a bill here that deems this, deems that, and deems the other thing.

This is a bill that deems that the Environmental Impact Statement required by the National Environmental Policy Act is deemed approved. It's not.

This is a bill that says that the requirements of the Endangered Species Act are deemed satisfied and opinion deemed issued. They're not.

This is a bill that says that the required right-of-way and temporary use permit under the Mineral Leasing Act is deemed issued. Not.

This is a bill that says that the requirements of the Water Pollution Control Act and the Migratory Bird Treaty Act are deemed approved and issued. Not.

Why are we doing this? While we're at it, why don't we deem a balanced budget? Why don't we deem full employment? Why don't we deem world peace?

It's farcical. It's a violation of the separation of powers under the Constitution. It's not our job to deem things. It's our job to pass laws of gen-

eral application, not favors to foreign oil companies.

The CHAIR. The time of the gentleman has expired.

Mr. HOLT. I yield the gentleman an additional 30 seconds.

Mr. GRAYSON. And having been lectured endlessly by the other side about the profundity of earmarks, we come across a bill here where, in fact, it's an earmark for a foreign oil corporation. We are issuing to a foreign oil corporation a right-of-way that's valued at millions and millions of dollars when the other side tells us they're not in favor of earmarks.

Stop the hypocrisy.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Montana, another member of the Natural Resources Committee, Mr. DAINES.

Mr. DAINES. Mr. Chairman, it took Canada just 7 months to approve the Keystone XL pipeline; meanwhile, Americans have been waiting 4½ years for President Obama to act.

Montanans understand how important this project is for our economy and for our energy future.

In eastern Montana, we've seen the tremendous potential for jobs and economic growth that comes with oil production in the Bakken field. In fact, this pipeline will transport up to 100,000 barrels per day of Bakken oil—that is Montana and North Dakota oil—through a connecting on-ramp in Baker, Montana. And in Glasgow, Montana, the NorVal Electric Co-op is slated to supply electricity to one of the Keystone XL pump stations.

Let me tell you what this means to middle class, hardworking Americans. If this pipeline is built, this rural electric co-op will be able to spread their cost burdens with the pipeline and, consequently, hold rates steady for their 3,000 customers. But if the pipeline is not approved, NorVal customers will see upwards of a 40 percent increase in their utility rates over the next 10 years.

Mr. Chairman, if the President isn't willing to listen to the voice of the people, the House will. It's time to build the Keystone XL pipeline.

Mr. HOLT. Mr. Chairman, may I ask the time remaining?

The CHAIR. The gentleman from New Jersey has ¾ minutes remaining, and the gentleman from Washington has 7½ minutes remaining.

Mr. HOLT. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Mr. Chairman, I rise today in support of the Northern Route Approval Act, another House initiative to pave the way for construction of the Keystone pipeline. I support this measure because approval of the pipeline will lead to lower fuel prices and it will create jobs.

As I've traveled my rural Virginia Fifth District, I have spoken to our



small business owners, our small farmers, our volunteers, our students, and our parents, and there can be no question that the energy policies coming out of Washington under this President are hurting our local communities. That is why the immediate approval of the Keystone pipeline is so important, because it will reduce our dependence on foreign dictators, it will give us affordable energy, and it will create the jobs that we desperately need.

After 4 long years, this bipartisan plan to create jobs and lower fuel prices should wait no longer. It is high time for the President to heed the wishes of the American people. Stop the excuses and approve the Keystone pipeline.

Mr. HOLT. Mr. Chairman, I continue to reserve the balance of my time until the other side is ready to close.

Mr. HASTINGS of Washington. Mr. Chairman, if I may inquire, did I hear that my friend from New Jersey has only one speaker left?

Mr. HOLT. Yes, I believe that is correct, Mr. Chairman.

Mr. HASTINGS of Washington. I hope that belief is true, then. You're waiting, I guess.

So if the gentleman is prepared to close, I reserve the balance of my time, as I have one more speaker left.

Mr. HOLT. Mr. Chairman, I yield myself the remaining time.

As we've heard, this is a bill that gives a Canadian company a sweetheart deal. It deems that all the conditions have been met, even if they haven't been. It takes a very dirty product, ships it through the United States, where we bear the risk of an oil spill. It's shipped to other countries. The U.S. consumer, the U.S. businessperson, the U.S. economy derives little to no benefit from this. All risk, no reward.

The TransCanada Keystone pipeline, the existing part of it, which would be connected to this proposed pipeline, experienced 12 separate oil spills in 2010. In the United States, there are typically more than 3 million gallons spilled from pipelines, so don't tell me that this is without risk.

As for helping the economy, we would like to have good, long-lasting jobs for Americans. This is not the way to do it. It does not do it. The long-lasting jobs number in the dozens, not the thousands.

So this very dirty oil will not increase U.S. energy security. It certainly will not lower energy prices, which are determined on the world market and through various manipulations here.

This clearly is not in the interest of the American consumer or American business. There's nothing in this bill to require that oil from this pipeline stay in the United States. There's nothing to close the tax loophole that allows tar sands oil to avoid paying for oil cleanup. In fact, I note with some irony here that some members of the majority who have spoken today in favor of

this legislation to expedite the pipeline construction have asked the chairman of the Ways and Means Committee to fix this oil spill liability trust fund loophole, in other words, to see that this is not exempt from paying into the oil spill trust fund. But the irony is they don't want to fix it now; they want to fix it sometime in the future in an as-of-yet imaginative or conjectural tax reform.

If they really wanted to fix it, this would be the time to do it, rather than to take a bill and ask for streamlined, no-questions-asked approval: take the executive branch out of the decision, give the sweetheart deal to the Canadian company, and close the books. We would regret it if that happened.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. HOLDING). The gentleman from Washington has 6½ minutes remaining.

Mr. HASTINGS of Washington. I'm very pleased to yield the balance of my time to the majority whip, the gentleman from California (Mr. MCCARTHY).

□ 1600

Mr. MCCARTHY of California. Mr. Chairman, I rise today in support of this bill. Now, if you're like me and you go across the country, you want to listen to the American people. The two things they talk about when you tell them you're a Member of Congress, the first thing is: Where are the jobs? The second thing they say: Why can't you work together? Why can't you solve this problem together?

It's not often that we get to mesh those two together on the exact same day. But, you know, today is that opportunity.

Last week, I watched our President of the United States go to a small business. I love it when he goes to a small business. I was a small business owner. He went to a small business to talk about job creation. He wants to move America forward. And I'll be frank, lots of time my philosophy isn't the same as the President, but I want to work together, especially when we agree. So I listened to his words and I listened to him closely because he talked about what was holding back job creation in America. The President said:

One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are all these permits and red tape and planning, and this and that, and some of it's important to do, but we could do it faster.

You know what? I agreed with those words of President Obama. And I looked for what could make that change. And you know when he spoke at that small business, it just so happened that the CEO of that small business was there with him. But you know where he was 24 hours before? He was right here in Congress. He was here tes-

tifying, as that small business, about what could get America moving. You know what he talked about? Build the Keystone pipeline. Build it.

So when the President said that sometimes projects take too long to get off the ground, I think he was referring to if it was more than 1,700 days, that was too long. So when the President said that there's too much red tape, some is important, but we could do faster, I think the President probably meant that 15,000 pages of review that we've done for Keystone is probably too much.

So there's a unique ability that, yes, we can move something that can create 20,000 jobs in America today. You know what? We could be less reliant on the Middle East for our energy as well.

But you know what is more important when we listen to the American people and they ask, Why can't we do this in a bipartisan manner? You know what? It will come off this floor in a bipartisan vote. But you question, can it come off the Senate? Well, you know what? A majority of the Senators have voted for it, 17 Democrats on the other side as well.

So I stand today as the majority whip saying I agreed with President Obama's words. The only thing that is missing is the action. Today we will do our job. We'll send it to the Senate, and it will be the start of a new beginning, to put people before politics and jobs and bipartisanship forward, and I look forward to the opportunity to do it.

Mr. HASTINGS of Washington. Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chair, I rise today to oppose H.R. 3, which is quite simply a waste of this chamber's time. Like the 37th vote to repeal the Affordable Care Act last week, we are again wasting Americans' time and money doing the bidding of corrupt, private industry—selling jobs that will never materialize, while exposing American land, air, and water to dangerous pollution.

I understand my friends across the aisle have water—or oil—to carry for the energy industry, but this bill is not going to bring the environmentally damaging pipeline they support to fruition. Regardless of the outcome of this vote, the decision to approve or reject the Keystone XL pipeline will rest with the president.

Unfortunately for my friends across the aisle, President Barack Obama knows the dangers of not going far enough or fast enough to stop the climate crisis. History will celebrate his decision to lead us toward a clean energy economy that solves climate change and creates long-term, sustainable jobs for Americans. We understand then, that achieving this awesome goal requires that the United States reject the TransCanada Corp.'s proposal to build the Keystone XL pipeline, which would cut through the heartland of America.

Returning our economy to stable growth requires Americans to move forward toward the future, not back toward the past. We must put Americans to work building, implementing and maintaining a clean energy infrastructure that

will power the economy of tomorrow. The Keystone pipeline is dirty energy infrastructure, reflecting a generations-old approach to energy and environmental questions.

TransCanada Corp. is a Canadian company that wants the Obama administration to provide it with a permit to build the pipeline, which would run oil from Canadian tar sands all the way through our country to the Texas Gulf Coast. According to the Natural Resources Defense Council, tar sands oil is an environmental catastrophe—creating three to five times the global warming pollution of traditional oil.

After refining the oil here in the United States, TransCanada plans to export this oil for sale to other countries, enriching Canadians and oil companies but doing little or nothing to decrease America's dependence on foreign oil. In the meantime we get to store dirty energy waste products like petroleum coke in our neighborhoods while we wait for billionaires like the Koch brothers to ship the global-warming byproduct overseas to China.

Common sense demands that the president reject this pipeline. Most Americans want our country to be investing in energy solutions for the future—not outdated, polluting infrastructure that will do nothing to solve our energy problems.

According to the State Department, the total number of jobs projected to result from Keystone is 3,900 direct temporary construction jobs over a one- to two-year period, but only 35 permanent and 15 temporary jobs will remain after those two years of construction.

Those who are making the case for the pipeline—TransCanada, oil lobbyists and special interest advocacy groups funded by the oil lobby—are spreading misinformation about the numbers of jobs that would be created. TransCanada claims that the project will create 9,000 construction jobs and 7,000 manufacturing jobs; meanwhile, their spokesmen and advocates have been quoted in the media suggesting that “tens of thousands” or “over a hundred thousand” direct and indirect jobs would be created.

This willful misrepresentation about jobs numbers speaks to how little these oil industry leaders, and those who they are funding, actually care about Americans who need jobs. They are selling a jobs pipe dream, so they can build a polluting pipeline.

Consider the struggles of those who have lost their jobs in the recession. Consider the families who cannot pay their bills, who cannot access health care, who cannot send their children to college and who have lost their homes. Then consider how irresponsible it is for oil company lobbyists and their friends to sell this pipeline using inflated job estimates.

According to a national study from the Political Economy Research Institute at the University of Massachusetts Amherst, every dollar put into clean energy creates three times as many jobs as putting that same dollar into fossil fuels. Further, median wages are 13 percent higher in the green energy sector than those in other parts of the economy. Over the past two years, jobs in the solar industry have grown nearly 10 times faster than jobs in the rest of the economy, with only modest investment from federal and state governments. If we were to commit fully to supporting clean energy and putting an end to global warming, then we could create even more jobs. Research from the Brookings Institution has

found that job quality is better in the clean energy sector, which is creating medium- and high-credential jobs at twice the rate as the fossil fuel industry.

I urge my colleagues on both sides to vote against this bill, and turn their efforts instead to developing energy solutions for 2050—not 1950. Sludge from tar sands is not going to get America moving again; it will simply mire us in the past. Let's move forward—and put a plug in Keystone XL once and for all.

Mr. DINGELL. Mr. Chairman, as the House prepares to once again vote on legislating approval of a presidential permit to construct the Keystone XL pipeline, I find it disappointing that the Majority refuses to work with Democratic supporters, like myself, of the pipeline. By attempting to legislate a process set in place by President George W. Bush, the Majority has succeeded in making the pipeline a political issue instead of one of unifying national energy independence. As a supporter of the Keystone XL pipeline, I oppose H.R. 3, the Northern Route Approval Act, and ask the Majority to instead work with the Administration to approve this project and legislate issues that can further enhance our energy independence rather than playing partisan politics.

The intent of the National Environmental Policy Act (NEPA) is to provide transparency so communities can know the impact of projects on their neighborhoods. However, H.R. 3 circumvents that transparency by simply deeming approved the NEPA review. H.R. 3 also deems approved permits under the Clean Water Act and Endangered Species Act. When these laws were passed, they were not revolutionary, they were commonsense, and were passed on an overwhelmingly bipartisan basis. One could even say these environmental laws were so important that they were, in fact, nonpartisan. Allowing those processes to run their courses is also commonsense and should be nonpartisan.

This pipeline will eventually be built either south from Canada to the Gulf Coast or west to the Pacific where the Canadian oil will be sent to China. As a supporter of the pipeline and American energy security, I, for one, would prefer to see those manufacturing, construction, and other jobs created here in the U.S.

Allowing the process provided under these laws to unfold does not mean you have to be opposed to the construction of the Keystone XL pipeline. The majority claims that this bill is necessary to “address continued regulatory uncertainty.” However, this bill does exactly the opposite; it circumvents the established process and potentially opens the project to lawsuits that will ensure the pipeline is kept in the court system for years to come.

I oppose this bill, which gives special treatment to a foreign company not afforded to domestic companies. The House should be doing more to secure our country's energy independence instead of playing political games with our nation's energy future. As a supporter of the Keystone XL pipeline, I urge you to oppose H.R. 3.

Ms. BROWN of Florida. Mr. Chair, this is America, and I fully believe it's possible to build the Keystone pipeline in a way that improves our access to crude oil and puts thousands of people to work, while still protecting citizens from hazardous spills. But we have to hold the industry's feet to the fire and make sure they are taking every possible precaution in building this pipeline.

There are members on both sides who support construction of the pipeline and we could work together to move this project forward, but the Keystone XL has become totally political, with people using it to score points rather than address some of the problems that could arise from its construction. Today's bill is dead on arrival, but here we are once again wasting the House's time on partisan bills the Senate will never take up.

When I chaired the Railroad, Pipelines, and Hazardous Materials Subcommittee we held five separate hearings concerning pipeline safety and found significant problems with reporting and inspections, as well as an unhealthy relationship between the pipeline industry and the agencies regulating them. We really need more scrutiny over the construction and operation of the Keystone Pipeline, not less. Deeming permits completed and suspending the Clean Water Act is a very dangerous precedent and will certainly make communities more vulnerable to the death and destruction that pipeline ruptures cause.

With the high unemployment rate this country is currently facing, we should be hiring and training inspectors and putting contractors to work replacing this aging pipeline infrastructure in this country. Gas and oil companies have profited by over \$1 trillion dollars over the last decade, while the infrastructure that brings their products to market becomes more unstable and more dangerous.

Every day in America we see our infrastructure crumbling around us. The Association of Civil Engineers gave the nation's transportation infrastructure a grade of D.

That is unacceptable, and the American people deserve better. Let's put people back to work on improving our entire nation's infrastructure. That's a win for the economy and a win for America's workers.

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman for yielding. And I rise to speak about the Keystone XL Pipeline Project and the legislation before us, H.R. 3.

Mr. Chair, the Keystone XL project proposed by TransCanada, a Canadian company, would build new pipeline to transport Alberta oil sands crude and crude oil produced in North Dakota and Montana to a market hub in Nebraska, and from there to Gulf Coast refineries. The proposed pipeline would deliver an estimated 830,000 barrels of oil per day. One of the most appealing aspects of the project is the positive economic impact it is expected to have on the economy.

Let me just take one State's economy and realize what would happen with this particular effort. There would be a \$2.3 billion investment in the Texas economy, creating more than 50,000 jobs in the Houston area, providing \$48 million in State and local taxes, increase the gross State product by \$1.9 billion.

Although I favor the job creation potential of the Keystone XL Pipeline project however, the legislation contains several provisions that are of great concern to me.

First, because the pipeline would cross an international border, construction requires a presidential permit and would be subject to applicable State laws and permitting requirements.

To issue a presidential permit, the State Department, after consulting with other federal agencies and providing opportunities for public comment, must determine that the project would serve the national interest.

Because the Keystone XL project would constitute a major federal action with a potentially significant environmental impact, it is also subject to environmental impact statement requirements of the National Environmental Policy Act, NEPA.

The bill declares that a presidential permit is not required for approval of the Keystone XL pipeline's northern route from the Canadian border through Nebraska even though the project crosses an international border. This is unprecedented.

Second, H.R. 3 deems that environmental impact statements issued to date would be considered sufficient to satisfy all requirements of the National Environmental Policy Act and the National Historic Preservation Act, and the Interior Department and the U.S. Army Corps of Engineers are deemed to have granted all the necessary permits for the pipeline to proceed, including permits under the Migratory Bird Treaty Act.

As a senior member of the Committee on the Judiciary, I have a problem with "deeming" something done that has not been done in fact. I believe we should determine whether, under the Constitution, this alters the power of the office of the President.

Third, the bill vests exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of this bill in the U.S. Court of Appeals for the District of Columbia and requires claims regarding the pipeline to be brought within 60 days of the action that gives rise to the claim. My amendment would have extended the time to one year.

It is unduly burdensome to require aggrieved parties to bear the considerable expense and hardship of traveling from their homes in North or South Dakota, Nebraska, Kansas, Oklahoma, or Texas to Washington, D.C. to vindicate their legal rights.

Mr. Chair, I also believe the bill before could have been improved had more amendments been made in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment No. 4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment No. 3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business enterprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee amendment No. 2, would have added a non-severability clause to the bill, which states that: "if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void."

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in *pari materia*, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the congressional intent that this bill is so delicately crafted, that it is "all or nothing."

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter v. Carter Coal Co.*, 298 U.S. 238, 312 (1936):

[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.

This presumption becomes conclusive when Congress makes its intention clear, see *Carter v. Carter Coal Co.*, 298 U.S. at 312, by including a non-severability clause in the statute.

My amendment would have done just that.

Had these amendments been made in order and approved, the bill before would be improved markedly. It is my hope that there will be additional opportunities to improve this legislation as it moves forward. The Keystone Pipeline should be built following all the necessary rules and laws that protect the American people.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-11. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

#### H.R. 3

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Northern Route Approval Act".*

#### SEC. 2. FINDINGS.

*The Congress finds the following:*

(1) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

(2) The delivery of oil from Canada, a close ally not only in proximity but in shared values and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Department of State and other Federal agencies have over a long period of time con-

ducted extensive studies and analysis of the technical aspects and of the environmental, social, and economic impacts of the proposed Keystone XL pipeline.

(6) The transportation of oil via pipeline is the safest and most economically and environmentally effective means of doing so.

(7) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

#### SEC. 3. KEYSTONE XL PERMIT APPROVAL.

*Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on August 26, 2011, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).*

#### SEC. 4. JUDICIAL REVIEW.

(a) *EXCLUSIVE JURISDICTION.*—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this Act, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act.

(b) *DEADLINE FOR FILING CLAIM.*—A claim arising under this Act may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) *EXPEDITED CONSIDERATION.*—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

#### SEC. 5. AMERICAN BURYING BEETLE.

(a) *FINDINGS.*—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) *BIOLOGICAL OPINION.*—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion

containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

**SEC. 6. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.**

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

**SEC. 7. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.**

(a) **ISSUANCE OF PERMITS.**—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 3, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) **WAIVER OF PROCEDURAL REQUIREMENTS.**—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) **ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.**—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) **LIMITATION.**—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

**SEC. 8. MIGRATORY BIRD TREATY ACT PERMIT.**

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–88. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–88.

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 18, strike “pipeline.” and insert “pipeline, and—

(A) the Department of State assessments found that the Keystone XL pipeline “is not likely to impact the amount of crude oil produced from the oil sands” and that “approval or denial of the proposed project is unlikely to have a substantial impact on the rate of development in the oil sands”;

(B) the Department of State found that incremental life-cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing twelve one-thousandths of one percent of the 6,702 million metric tons of carbon dioxide emitted in the United States in 2011; and

(C) after extensive evaluation of potential impacts to land and water resources along the Keystone XL pipeline’s 875 mile proposed route, the Department of State found that “The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).”.

Page 2, line 21, strike “of doing so.” and insert “of doing so, and—

(A) transportation of oil via pipeline has a record of unmatched safety and environmental protection, and the Department of State found that “Spills associated with the proposed Project that enter the environment expected to be rare and relatively small”, and that “there is no evidence of increased corrosion or other pipeline threat due to viscosity” of diluted bitumen oil that will be transported by the Keystone XL pipeline; and

(B) plans to incorporate 57 project-specific special conditions related to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have “a degree of safety over any other typically constructed domestic oil pipeline”.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Texas (Mr. WEBER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman. Mr. WEBER of Texas. Mr. Chairman, thank you for recognizing me to speak in favor of my amendment on this very important legislation.

I want to thank Mr. TERRY for leading on an issue that is crucial to our economic recovery and our energy future. Rather than wait around for further delays—1,700 days and counting—and excuses from the President, Mr. TERRY has taken action to deliver the jobs and energy security that this administration so frequently promises to the American people.

Last week marked 1,700 days, that’s 4.65 years, since the first permit application was filed for Keystone. Let me put that in perspective. I have a granddaughter who will be 2 years old in July. Had she been born when this permit was filed, she would be entering kindergarten this coming fall. Her name is Kate Liberty, by the way. She’s the cutest thing this side of the Atlantic.

During that time, the State Department has produced, as the whip said,

over 15,000 pages of environmental impact assessment, which have been endlessly discussed, debated, and deconstructed. Hundreds of thousands of public comments were made on these documents, and public meetings were held across the country in multiple States.

However, in 2012, President Obama rejected the first permit application for the Keystone XL pipeline, claiming that the deadline which required him to make a decision prevented a “full assessment” of the pipeline’s impact. I would conclude, and I’m sure most of you would agree, that the State Department study of Keystone XL has gone far above and beyond the threshold required of a “full assessment.” In fact, this unprecedented degree of scrutiny has led many to conclude that the Keystone XL is the most studied pipeline in our Nation’s history.

Despite this exhaustive environmental review, the administration has yet to make a decision on a project that will create American jobs, stimulate the economy, and enhance our energy security. In the meantime, opponents of the project continue to rely on false assumptions and misconceptions to urge its rejection.

My amendment simply sets the record straight on these accounts by adding findings from our own State Department that attest to the safety and environmental soundness of this project.

There are those who oppose the project who say it hasn’t been studied enough—that’s laughable. That we are proceeding hastily—4½ years and 15,000 pages prove otherwise. Others allege that the pipeline is a safety risk. The State Department findings prove these allegations unfounded. In fact, the State Department concluded that it has 57 extra safety features, and with that, the Keystone XL would have a degree of safety over any other domestic pipeline.

There are those who try to argue that the pipeline would threaten water resources, wildlife, and the communities along the route. However, the State Department disagrees, concluding there would be “no significant impacts” to resources along the proposed route.

Some insist that the pipeline will lead to increased greenhouse gas emissions and that halting the project will somehow combat global warming or reduce carbon emissions. However, the State Department’s estimates of incremental emissions associated with the project are marginal, and they would have negligible impact on climate change, if any. Moreover, the State Department concluded that Canadian oil sands production will continue regardless of whether or not we build the Keystone. A global oil market and the statements of Canadian officials reinforce this reality.

The science supports approval of Keystone XL, and I agree. Given the facts, I see no reason the administration should make the American people

wait any longer for a project whose construction will support up to 40,000 jobs and generate \$2 billion in earnings.

Mr. Chairman, I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise to claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. This amendment selects some statements from the State Department's draft supplemental Environmental Impact Statement to try to suggest that the Keystone XL tar sands pipeline poses no threat to the environment. I only wish that were the case.

This is a matter of basic chemistry. Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution.

The State Department estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. And it estimated that shifting to tar sands crude could add as much U.S. carbon pollution as 4.5 million more vehicles. Not surprisingly, these findings are not in this amendment.

□ 1610

But the real problem with this amendment isn't what it leaves out. The real problem is that it tries to argue that the Keystone XL tar sands pipeline does not pose real and serious environmental harm, and that's dangerously wrong.

The fact is we may be able to avoid the worst consequences of climate change or we may be able to fully develop the tar sands without capturing the carbon, but we can't have both. And building Keystone XL is critical to oil companies' plans to triple production of the tar sands.

The State Department's review rests on a key assumption. They assumed that if Keystone XL isn't built, the additional tar sands production would be moved by rail. They also assumed that the extra costs of rail wouldn't be high enough to affect investments in new tar sands projects.

With all due respect to the State Department, this is one case where many experts think they have just got it wrong. A recent Reuters report found big flaws in the State Department's analysis. Among other things, State assumed that rail shipment would cost about \$10 per barrel, but current costs are closer to \$30 per barrel.

The former Alberta Energy Minister said, "If there's something that kept me up at night, it would be the fear that before too long we're going to be landlocked in bitumen."

A Deloitte report said, "Unless key transportation challenges are overcome, that new oil will have nowhere to go."

And here's TD Economics: "Production growth cannot occur unless some

of the planned pipeline projects out of Western Canada go ahead."

And here's what AJM Petroleum Consultants have said: "Unless we get increased market access, like with Keystone XL, we're going to be stuck. Our production is going to be the one backed out of the system."

And here's what the former editor of Oilweek said: "Essential to diminishing hopes for an oil sands bonanza are three proposed pipelines."

The Canadian Energy Research Institute said, "with Keystone XL in place and operating at capacity, bitumen production could increase substantially."

Keystone XL Pipeline is the key to enabling a massive increase in tar sands production and locking in our dependence on this very dirty oil. This would be catastrophic for the climate.

This amendment tries to downplay the climate impacts of Keystone XL, but even under the State Department's flawed analysis, there isn't another project in America with bigger climate impacts.

I urge a "no" vote on this Weber amendment and on H.R. 3.

I reserve the balance of my time.

Mr. WEBER of Texas. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. WEBER of Texas. Well, I appreciate the gentleman from California's comments. It's interesting that we are going to belie the State Department's assessment when it's not advantageous to the argument, but we're going to try to rely on it when it's advantageous.

It's admirable that he's concerned about the cost per barrel of bitumen. I own a small business and, by golly, the oil companies that produce jobs and wealth for this company will decide on whether it's too costly.

The previous gentleman from New Jersey said there was no proof that even the oil would stay here in this country. Well, I submit this to you, Mr. Chairman, and esteemed Members. To what company do we say, We don't want you exporting your products? Do you tell Nike that? Do you tell Ford that? Who do you tell that?

And then to his statement that it's going to increase greenhouse gases, the experts have done the math, and they've come up with, if at all, it raises 1/100,000th of a degree Fahrenheit in global warming.

And finally, we heard testimony from the experts in our hearing, saves 400 to 500 trucks a day off the highway.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Chairman, and my colleagues, the issue is, if we don't build this pipeline, can that tar sands oil be trucked? Can it be taken to market? And I submit that if it's not, if we don't build this tar sands pipeline, they're not going to be able to afford to truck it anywhere else.

They're trying to get us to help bail them out with this dirty tar sands oil so they can use the United States to

help Canadian oil production, and we ought to say "no."

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WEBER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WEBER of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-88.

Mr. WAXMAN. Mr. Chairman, I seek recognition in support of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 2, insert the following new paragraph:

(8) The Draft Supplemental Environmental Impact Statement for the Keystone XL Project issued by the Department of State on March 1, 2013, finds that "the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions" in comparison to the greenhouse gas emissions from the crude oils used in the United States, as measured over the full life-cycle of the fuels. The Draft Supplemental Environmental Impact Statement finds that based on the quantity of tar sands crude to be transported by the Keystone XL pipeline, there could be up to 20.8 million metric tons of carbon dioxide-equivalent emissions additional per year, which is equivalent to the annual emissions from 4,312,500 passenger vehicles.

At the end of the bill, add the following new section:

#### SEC. 9. OFFSETTING CLIMATE CHANGE IMPACTS.

This Act shall not become effective unless the President finds that the additional greenhouse gas emissions from the increased use of tar sands crude referenced in section 2(8) will be fully offset by TransCanada or tar sands producers through an equal quantity of additional greenhouse gas emissions reductions each year.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this month we passed a grim milestone. Scientists recorded atmospheric concentration of carbon dioxide of more than 400 parts per million. The last time carbon dioxide concentrations were at that level was 3 million years ago. Seas were 60 feet higher, and human beings did not even exist. This milestone is yet another urgent reminder that we need to take immediate action to build a clean energy, low-carbon future.

The Keystone XL pipeline takes us precisely in the wrong direction. This

pipeline will expedite production of the dirtiest and most carbon-intensive crude oil on the planet and lock in our dependence on this dirty fuel for decades to come. I'm strongly opposed to the Keystone XL pipeline for that reason.

But if the House is going to pass a bill that approves the Keystone XL pipeline, the least we can do is try to minimize the harm. That's the point of this amendment.

Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution. This isn't in dispute, although we hear arguments that it is, but it is not in dispute.

The State Department has estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. Other studies suggest that numbers could be even higher.

To protect our Nation from droughts, wildfires, and extreme weather, we need to be reducing carbon pollution. But, according to the State Department, using tar sands crude from Keystone XL could increase U.S. carbon pollution by up to 20 million metric tons per year. That's why the Keystone pipeline is a huge step in the wrong direction.

My amendment simply holds TransCanada and the tar sands producers accountable for their carbon pollution. It says that they have to reduce other carbon pollution to offset the extra pollution from Keystone XL. This won't get us closer to meeting our climate goals and building a clean energy future, but at least we won't be increasing the U.S. carbon pollution.

This amendment is not a cure-all. Approving Keystone XL will allow the oil industry to triple tar sands production. During the Energy and Commerce Committee hearing on this bill, we heard testimony that there's no plausible scenario in which tar sands production triples and we don't avoid a catastrophic level of climate change.

So make no mistake; even with this amendment, the Keystone XL pipeline would be a disaster for the climate, but this amendment would help. It would minimize extra carbon pollution. It would send a message to the tar sands producers and Alberta that they need to do a lot more to address climate change, and it would signal that the United States Government takes the threat of climate change seriously.

□ 1620

We need to start holding oil executives accountable for the pollution that is threatening our health and welfare. We need to make the polluters accountable for the damage they are inflicting on our children and our grandchildren. Our generation has an obligation to protect the Earth for future generations. This amendment is at least a small step in that direction.

I urge my colleagues to support this amendment and to vote "no" on the final bill.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman from California has 1 minute remaining.

Mr. WAXMAN. Mr. Chairman, who has the right to close on this amendment?

The Acting CHAIR. The gentleman from Nebraska has the right to close on this amendment.

Mr. WAXMAN. My colleagues, I think this amendment says if you're going to go ahead with this pipeline, at least look for other ways to reduce carbon emissions. Put the burden on the Keystone XL pipeline producers and Alberta, Canada. Don't just accept all the pollution if it can be minimized by our carbon reductions. That will help reduce the harm that this whole project will cause for the climate change that's threatening us and that we're seeing today throughout this country everyday in the news. It will help minimize aggravating that problem.

It's not a solution, but it's a way that we can say that if we're going to have the XL pipeline, at least get some offsets on carbon so that we're not just increasing it to the maximum levels possible of all the greenhouse gases that are going into the air.

I urge support for this amendment, and I yield back the balance of my time.

Mr. TERRY. There are two realities here. Number one is that on the process of obtaining the bitumen, the crude that comes and will be put into the pipeline, that process is becoming more efficient all the time and decreasing its carbon footprint. But what's produced is equal to a heavy crude. That's what the State Department, under the appropriate rules, stated or concluded, based on the environmental impact studies. It is, in essence, equal to what we're importing from Venezuela today. In essence, it's neutral. That's the State Department's own conclusions and analysis—that it would have no real impact on climate change. So the study has been completed and this amendment is not necessary. It's just another way to keep delaying.

I would request a "no" vote.

Mr. WAXMAN. Will the gentleman yield for a question?

Mr. TERRY. I yield to the gentleman from California.

Mr. WAXMAN. How will this delay the project? It simply says, as they develop this pipeline, they have to look for other ways. They can then start figuring that out without delaying the project, as I understand it.

Mr. TERRY. We interpreted that requesting that information could be

used as a tool to further delay it. That's how we've reached that conclusion. They've used so many things to delay this already that we're just suspicious that this would be another opportunity.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-88.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert "(a) IN GENERAL.—" before "Notwithstanding Executive".

Page 3, after line 21, insert the following new subsection:

(f) REQUIRED STUDY.—Notwithstanding subsection (a), final approval of construction and operation of the Keystone XL pipeline shall not occur until the President has determined that the appropriate Federal agency has completed a study of the health impacts of increased air pollution in communities near refineries that will process up to 830,000 barrels per day of tar sands crude transported through the Keystone XL pipeline, including an assessment of the cumulative air pollution impacts on these communities, many of which already experience unhealthy levels of air pollution.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. This bill is about profits over people. This bill puts the Koch brothers' profits above people's health.

No one knows how much air pollution this pipeline will cause or how the pollution will impact public health. My amendment, which has been endorsed by the National Resources Defense Council and by the Sierra Club, is common sense. I'm simply requesting a thorough analysis of the potential health risks. I am essentially asking that that analysis be completed before any decision is made on the pipeline.

Even though the State Department has submitted two Environmental Impact Statements on the Keystone XL pipeline, the Environmental Protection Agency has found that neither statement included a satisfactory evaluation of the increased air pollution that would come as a result of the pipeline's



operation. Communities surrounding the oil refineries that would be transporting raw tar sands crude through this proposed pipeline are already exposed to dirty air. Approval of the Keystone XL pipeline will only make it worse.

The raw tar sands crude is more toxic and acidic than other types of crude, Mr. Chairman. Raw tar sands crude produces significantly more harmful pollutants and greenhouse gas emissions than conventional crude oil due to the complex refining process it must go through before it reaches the gas pumps.

As this type of crude has only been exported to the United States from Canada for a relatively short period of time, there has not been a thorough study on how its transport would affect air quality in our Nation. It is troubling that the construction of the Keystone XL pipeline, which would transport 900,000 barrels of this crude oil daily, should take place before such a study that would evaluate its effects on health has ever been done. We have a responsibility to the American people to properly assess what risks the construction of this pipeline may pose to our health. It would be irresponsible of us to sweep these concerns under the rug just to rush this project to the finish line.

Valid questions have been raised about the health risks associated with the increased air pollution this pipeline will produce. These questions deserve legitimate answers. For this reason, I'm requesting a study on the health impacts of raw tar sands crude pollution in our communities surrounding the refineries where the Keystone XL pipeline will operate. I urge my colleagues to share my commitment to safeguarding Americans' health, and I ask that you approve my amendment and allow for such a study to be done before we make any decision on the pipeline's construction.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. And I reserve the balance of my time.

Mr. JOHNSON of Georgia. I yield back the balance of my time.

Mr. TERRY. I rise in opposition to the study. It requires another additional study around the refineries. Keep in mind that the refineries have already been through extensive research and studies to obtain their permits. Yes, many of the refineries are expanding right now, also under the tutelage and permitting processes of the EPA.

□ 1630

They're already being studied. It's not necessary to then include it as a condition precedent to the construction of the Keystone pipeline, which is the essence of what this bill does.

The gentleman from Georgia mentioned that the two entities that are encouraging this amendment are the two entities that have been at the forefront of causing most of these delays, so it's no surprise to me that the Sierra Club and the NRDC are throwing another tool out there to continue these delays. That's the whole purpose.

After 1,700 days, almost 5 years, three major environmental studies on this pipeline, it's time to just get this done. Enough is enough.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-88.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert "(a) IN GENERAL,—" before "Notwithstanding Executive Order".

Page 3, after line 21, insert the following new subsection:

(b) THREAT ASSESSMENT.—Subsection (a) shall not apply until the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, conducts a study of the vulnerabilities of the pipeline to terrorist attack and certifies that the necessary protections have been put in place so that the pipeline would withstand such an attack and a spill resulting from such an attack.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise in support of this commonsense amendment that seeks to protect the pipeline from a possible terrorist attack and to ensure our national security.

This simple amendment requests that the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, consistent with its existing MOU, conduct a study of the vulnerabilities of the Keystone XL pipeline to a terrorist attack and certify that necessary protections have been put in place.

Across the United States, more than a half million miles of pipelines transport natural gas, oil, and other hazardous liquids. Within this network, nearly 180,000 miles of pipeline carry hazardous liquids, including more than

75 percent of our country's crude oil and 60 percent of all of its petroleum products. This important network connects our power plants, ports, refineries, airports, and military bases.

While these pipelines are no doubt critical to the U.S. energy supply, we must also recognize the potential threat. Sadly, as the recent bombing in Boston—my hometown—demonstrated, America must always be on the alert to a terrorist attack on our own soil, sometimes even a native-born one. All it takes is a few bad actors to inflict terrible damage. Unfortunately, our Nation's pipelines remain an easy target.

Both domestically and globally, pipelines have been a favorite of terrorists. There have been attempted attacks on pipelines throughout the world, including in Colombia, Canada, London, Nigeria, and Mexico, to name a few. The Cano Limon oilfield in Colombia has been bombed more than 950 times since 1993, for example.

Here in the United States, fortunately, we don't face that kind of threat every day, but the threat is still real. Since September 11, Federal authorities have continued to acknowledge that our pipelines are a possible target.

In June of 2007, the Department of Justice actually arrested members of another terrorist group planning to attack jet fuel pipelines in storage containers at JFK Airport in New York; in 2011, a U.S. citizen was arrested for planting an improvised explosive device under a pipeline in Oklahoma; and in June of 2012, a man was arrested for trying to blow up a pipeline in Texas.

Even a single individual with a grudge can wreak havoc with a pipeline and cause substantial harm. In 2001, a vandal armed with a high-powered rifle shot at a section of the trans-Alaska pipeline, causing extensive economic and environmental damage.

Recognizing that this threat is real, my simple amendment asks that the Pipeline and Hazardous Materials Safety Administration work with Homeland Security to study the vulnerabilities of the Keystone pipeline and certify that protections are put in place to withstand such attacks.

If constructed, the Keystone will represent a 1,700-mile target. The very least we can do, if we're going to do that, is to ensure we have protections in place to protect both the source of our energy and our national security.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I do rise in opposition to the amendment.

My good friend from Virginia, I understand his need to make sure that our pipelines are safe, but this amendment is redundant of existing Transportation Security Administration guidelines. It's unnecessary and simply attempts to further delay the project.

TSA guidelines bring a risk-based approach to the application of the security measures throughout the pipeline industry. As stated in the National Infrastructure Protection Plan, DHS assesses risk as a function of threats, vulnerabilities, and consequences. With this in mind, the most effective security programs employ a risk management process that facilitates protective planning and decisionmaking to mitigate the risk for pipeline assets.

The operator's risk assessment methodology is subject to review by the TSA. Therefore, risk and vulnerability to pipelines are already covered under current guidelines. There is no need to specifically single out this pipeline for further study.

Clearly, this is intended to delay the Keystone pipeline from being built, so I urge a "no" vote and yield back the balance of my time.

Mr. CONNOLLY. I would simply say in response to my friend from Pennsylvania, for whom I have great respect, that this is not redundant because the review process looks at a lot of things—stress, corrosion, improper operation, weather-related disaster, even vandalism. It does not, however, address acts of terrorism. That is why I do not believe that my amendment is redundant.

Frankly, in light of recent events in this country, we must double-check and be double sure that that which we build as sensitive as a pipeline is secure. I think Americans are entitled to that extra security. I don't consider it a redundancy, and I urge passage of the amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 5 OFFERED BY Mr. RAHALL

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113-88.

Mr. RAHALL. Mr. Chairman, I have an amendment at the desk designated as amendment No. 5 in the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 of the committee print (and redesignate subsequent sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I'm offering this amendment on behalf of myself and PETER DEFAZIO of Oregon.

This amendment simply strikes section 3 of the bill. This is the section which states that the Keystone XL pipeline does not require a permit to cross the international border between Canada and the United States. Under this amendment, all other provisions of the bill remain intact, including those relating to judicial review, rights-of-way, and the Clean Water Act.

I believe that getting into the business of waiving permits for a foreign company to do business here in the United States is not the way to facilitate the construction of this pipeline. American interests are at stake here, and to allow this extremely massive pipeline project to proceed without a permit is ludicrous. As I said in comments earlier today, we do not even do that for domestic companies here in this country.

Section 3 also creates a very convoluted and confusing regime. It references a final Environmental Impact Statement issued on August 26, 2011, as satisfying NEPA for the project. Yet that EIS was done for a different permit application than the one currently pending.

□ 1640

I repeat: that EIS was done for a different permit application than the one that's currently pending.

In February 2012 TransCanada split the project into two pieces—the northern route and the southern route. The company then on May 4, 2012, reapplied for a permit for the revised route, limiting it to the northern route that is the subject of H.R. 3.

Yet the pending legislation references an EIS from August 2011—again, for an entirely different permit application.

As a supporter of the Keystone pipeline, I find it difficult to see how this convoluted process set forth in section 3 would facilitate its construction.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I want to clarify that that was done for a different permit. The study that was done—that's referenced in there—is the environmental study and the requested supplemental for the route, except for the State of Nebraska.

There's another sentence in there that he didn't mention and that is in the now second supplemental for the State of Nebraska new review. There was an earlier statement that there was never one done under Nebraska. That's just absolutely false.

The reality is we've done all of the environmental statements on this

route for this permit that were required. So I want to make that clear.

And the other point that I would like to make is the language that's taken in this bill about deeming it in the national interest and deeming the environmental studies—as they've been done for this route in total—have been done before, including the language taken out of a bill that the gentleman that's speaking right now supported in 2004.

Mr. RAHALL. Mr. Chairman, I appreciate the gentleman from Nebraska's comments. I understand the EIS to which he refers was done for the State of Nebraska, but not for the current pending application.

I yield the balance of my time to the cosponsor of the amendment, the gentleman from Oregon (Mr. DEFAZIO).

The Acting CHAIR. The gentleman from Oregon is recognized for 3 minutes.

Mr. DEFAZIO. I thank the gentleman for yielding on this.

I spoke earlier today. This is the seventh attempt by this House to expedite, or now in this case, we are not expediting permitting, we are mandating permitting.

The gentleman just said that there's some disagreement here. The bill clearly states that it's the 2011 DEIS which is deemed to be sufficient which does not contain the current routing for the line.

We could create somewhat of an extraordinary precedent here. We could just have one generic national pipeline EIS that was done somewhere for something and went through the process and was approved and then deemed that any other pipeline that wants to be built can use that generic pipeline permit. That would certainly expedite things.

Mr. TERRY. Will the gentleman yield on that point?

Mr. DEFAZIO. No, I'm sorry, I don't have enough time.

We would just deem that pipelines anywhere and everywhere met national interest, public safety, and that.

I also raised the point earlier that this will transport tar sands oil through a pipeline which the IRS has deemed not to be oil, so it won't pay the normal excise tax to go to the trust fund which takes care of leaks, like the one we just recently had in Kansas. It will go to a tax-free export zone to a refinery half owned by Saudi Arabia and this will bring us energy independence. Independence from whom?

Every time we pump another barrel, the Saudis and OPEC drop a barrel. They're keeping the price up. There is no free market in oil. You guys all know that. This is not going to save Americans one penny at the pump.

If you want to save Americans money at the pump, let's go after the speculators on Wall Street who are adding 75 cents or \$1 to the price of a gallon of gas. Let's go after the collusion by the oil companies that shut down all the refineries all at once every year at the

beginning of the refining season for periodic maintenance, which they couldn't predict was going to happen, or sometimes there's a little accident. Except it turned out last year with an investigation they weren't really shut down—they just jacked up the price 50 cents a gallon like they always do.

So to pretend that somehow by deeming this to be sufficient, mandating that it happen, allowing a foreign company to build this pipeline across the United States of America, transport tar sands oil to a refinery half owned by the Saudis to be exported out of the United States, perhaps to China—over there you are saying, oh, we don't want to go to China. Well, it may well go to China and go through the Panama Canal. You're not going to stop that, and it's going to save the American taxpayers money at the pump and put people to work. Yes, there will be temporary construction jobs.

But we can do better, particularly as this committee. If we made the investments we need to make in our water infrastructure, our port infrastructure, our roads, bridges, highways, and transit systems, we can put millions of people to work permanently in this country and rebuild our infrastructure and once again claim world leadership there. We've got better things for this committee to be doing.

Mr. RAHALL. I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman from California is recognized for 4 minutes.

Mr. DENHAM. This amendment guts the bill by eliminating the section that, one, declares that no Presidential permit is needed for TransCanada's Keystone XL pipeline; and, two, deems the lengthy environmental reviews already completed as satisfying the requirements of the National Environmental Policy Act and the National Historic Preservation Act.

Given that this project has already had 5 years of studying, section 3 is necessary to ensure the Keystone XL project is done in a timely manner, and we need these American jobs.

I yield the balance of the time to the chairman of the full Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Mr. Chairman, my good friend from Oregon is right about this committee building infrastructure, but there is nothing more important right now than making sure our pipelines are in place to bring the energy safely to millions of Americans, and efficiently to millions of Americans. This is a core of what this committee does. That's why we have primary jurisdiction. That's why we're here debating this issue today.

This bill simply takes back congressional authority—constitutional con-

gressional authority—for us to be able to pass legislation to move things forward, and in this case to move this pipeline forward. This permit as processed will set up an executive order taking away congressional authority. So I am very, very proud and pleased to stand here today and to urge my colleagues to take a vote today to take back part of our constitutional congressional authority, move this pipeline forward, creating jobs, giving us more energy security in the world.

Mr. DENHAM. Mr. Chairman, I urge a “no” vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113-88.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike “or maintenance”.

Page 5, line 23, strike “or operation and maintenance”.

Page 6, beginning on line 18, strike “, operation, and maintenance”.

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, I yield myself 2 minutes.

My amendment would strike the words “operation and maintenance” from section 7 of the bill.

This section requires the Army Corps of Engineers to approve all permits under section 404 of the Clean Water Act and section 10 of the River and Harbors Act, within 90 days of receipt of a permit application.

The mandate to approve all permits would apply regardless of whether the project meets the needs of the law or not and would cover not only the initial construction of the project, but takes the unprecedented step of applying to all future operation and maintenance, in perpetuity.

Not only is this unprecedented; it is unwarranted and reckless.

Each time the House has debated the Keystone XL pipeline, the focus has always been on expediting the construction. This amendment does not affect or delay construction. I repeat: this

amendment does not affect or delay construction of the pipeline.

Whether you support the pipeline or not, section 7 goes far beyond that. It would require the Corps to grant any permit request for operation and maintenance of the pipeline for all eternity.

We do not provide this special treatment to any other pipeline operator in the U.S. Domestic companies are required to go through the proper process for obtaining permits for construction, operation, and maintenance activities.

□ 1650

Why would we treat a foreign company differently and give it a free pass through a multidecade lifespan of the pipeline?

My amendment would eliminate this reckless loophole and a few others to ensure that all operations and maintenance activities on this pipeline, should it be built, are subject to the same review and mitigation requirements that the other 2.6 million miles of pipeline in the United States must meet.

I urge Members to support this amendment, and I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. This amendment would further delay the Keystone XL pipeline and create additional uncertainty for the project. This amendment would basically gut the bill by allowing the construction but not the operation of the pipeline. It makes absolutely no sense for the Federal Government to permit a project to be constructed but not operated. This would be like getting a building permit to construct a house but not being able to certify the occupancy to actually live in the house. This pipeline will be subject to continued oversight by the Pipeline and Hazardous Materials Safety Administration, the Corps, and other regulators to ensure that the operators are complying with the project's permit requirements.

I reserve the balance of my time.

Ms. ESTY. I now yield 1 minute to my colleague, the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank Ms. ESTY for yielding and for offering this amendment.

I have always been a supporter of the Keystone XL pipeline. I have voted for it every time it has come to this floor in any form in which it has come here.

This bill, however, goes beyond simply completing the environmental review and Presidential approval of the pipeline. This bill mandates that the Army Corps and other agencies approve permits not just for construction but for all future maintenance activities on the pipeline. The Army Corps review of permits is important to limiting environmental damage and other impacts like flooding. The southern portion of

this pipeline, which I'm very happy is underway, is currently being constructed without having to waive laws and automatically approve permits like this.

I urge Members to support this amendment so we can really come together in a strong bipartisan fashion to approve the Keystone XL pipeline and get this done and get these jobs created in America.

Mr. DENHAM. Mr. Chairman, I continue to reserve the balance of my time.

Ms. ESTY. I yield myself such time as I may consume.

When a version of this amendment was offered in committee, the majority opposed it, claiming that the Corps permits are intended to cover both the construction and the ongoing operations and maintenance of a project. This is simply not accurate.

Following the markup, I consulted with the Army Corps, which stated very clearly that ongoing operations and maintenance activities beyond the initial 5 years are not authorized under the initial permit for the construction of the project. In fact, according to the Corps, operations and maintenance activities that occur in the future beyond the initial 5 years need to be authorized under a separate permit at the time the activity takes place. In addition, any permit that is issued today by the Corps for construction or maintenance would expire in 5 years and would need to be renewed.

I would like to submit for the RECORD a copy of the Army Corps' explanatory decision document nationwide permit 12, which describes the permitting procedures.

So the language in the underlying bill would give construction and all future operations and maintenance under the Clean Water Act and the Rivers and Harbors Act a free pass from review by requiring the Corps to approve them regardless of whether they minimize or mitigate the impacts.

In addition, this amendment would eliminate another loophole to ensure that operations and maintenance activities comply with the Endangered Species Act, just like all other pipelines.

Further, the amendment will strike "maintenance" from section 4, on judicial review, to prevent a small family farmer or a property owner from being forced to travel to a D.C. court to seek redress from future harm to their land or to their children's rights for the duration of the lifespan of this pipeline.

Regardless of your views on the construction of the Keystone XL pipeline, I urge my colleagues to vote "yes" on my commonsense amendment to prevent new loopholes and, quite possibly, to prevent the creation of a regulatory earmark for one foreign corporation.

I urge a "yes" vote on my amendment, and I yield back the balance of my time.

Following is the link to the full document referred to earlier: [http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP\\_12\\_2012.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP_12_2012.pdf)

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Once again, this amendment does nothing more than to delay or gut the bill. It is correct what the gentlelady from Connecticut says in that this amendment does not impact the construction at all—and it does not. Yet, as the gentleman from California pointed out, the analogy here is, if you build a house, this amendment would say you can't live in the house, that you can't operate in the house. Again, this amendment does nothing more than gut the bill. It's a delay tactic.

As I said earlier, this bill allows Congress the ability to regain its constitutional authority. Congress has the express authority under article I, section 8 of the U.S. Constitution "to regulate commerce with foreign nations and among the several States."

So this bill does that. I urge all of my colleagues to vote "no" on this amendment and "yes" on the underlying bill.

Mr. DENHAM. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

#### AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113-88.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, strike "60 days" and insert "1 year".

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the respective authors of this legislation because I know that their intent is a purposeful intent.

I have made public statements that I believe that moving forward with the right approach, ensuring that the necessary protections are in place, the necessary environmental protections are in place and the permitting is in place, will create an enormous number

of jobs. In fact, I opposed the rule because I've offered amendments that would provide opportunities for minority contractors, women-owned contractors, opportunities for the recruitment of a new generation of workers in the energy industry, which I thought would be a contributing factor to this legislation.

I offer a very simple amendment that has nothing to do with stopping any aspect of the construction. I would hope, however, that the regular order would proceed with the State Department's permitting process and the President's approval, but my amendment does not speak to that. My amendment is an amendment that seeks to simply be fair, Mr. Chairman. My amendment is simple and straightforward.

It extends the time period for filing a claim arising under the act from 60 days to 1 year after the date of the decision or action giving rise to the claim. This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the act in a single court, the U.S. Court of Appeals for the District of Columbia, which is thousands of miles from many of those who may be impacted.

Think about that. The Keystone pipeline is proposed to run from Alberta, Canada, through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas, all the way to the gulf. Maybe there is some collateral impact as well, but the only court in the country authorized to hear the claims of the residents of any of these States who seek justice for a legally cognizable claim or injury is located more than 1,000 miles away from their homes.

Mr. Chairman, they cannot go to a district court. They cannot go to the southern district. This will impose an undue hardship and a financial burden on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer whom they don't know and may have never met to represent their interests in a court far, far away.

Another reason for extending the time period in which to file a claim—remember, this is after the passage and construction of this particular entity—from 60 days to 1 year is that, by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing legal rights. Grandma and Grandpa and all of those individuals will have to travel 1,000 miles.

□ 1125

This is because the burden that must be shouldered by a plaintiff is very steep. To challenge factual evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that

they're not supported by substantial evidence in the record considered as a whole. To meet the standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

I hope in a bipartisan way we can get to where all of us would like to be, ensuring that we have a constructive project for all Americans.

With that, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. MARCHANT). The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I reserve the balance of my time for my personal close.

Ms. JACKSON LEE. Mr. Chair, again, I would have hoped, having worked with the gentleman from Nebraska, the proponent of this legislation, that we would continue to work on a bipartisan pathway.

This amendment is to relieve the burden on some of the very people many of us represent, and that is, of course, those individual claimants who happen to be in faraway places who now have to go to the D.C. Court of Appeals and to actually bear the burden of responsibility dealing with the fact that when you challenge the factual evidentiary determinations made in an EIS statement, an Environmental Impact Statement, for example, the plaintiff must demonstrate that they're not supported by substantial evidence in the record considered as a whole.

That's an extreme burden that will have to be carried by plaintiffs. They'll have to secure lawyers here in the D.C. area. They'll have to travel here, bear extra expenses. It will be necessary to get experts, locate and prepare witnesses, relocate themselves, and gather and review documentary materials. I would suggest that it is obviously a stress and a burden.

In section 4, this bill has no right to judicial review. So in essence, it means that you have one track to go in for a number of issues that might come forward. I am concerned that that would be the case. And for that reason I think that our amendment has the strength of purpose that is necessary.

Let me also add again, as I want to be very clear, why should we burden the individual plaintiffs, Mr. Chairman, with financial burdens that are excessive? My amendment gives them a fair amount of time to get a response and to participate in this process.

I ask my colleagues to support the amendment, and I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this amendment seeks to undermine an important streamlining provision in the bill that sets firm deadlines for filing claims.

In order to cause maximum delays, opponents of projects often wait until the final possible day to file claims. Setting firm reasonable deadlines has no impact on legal rights.

This bill is limited in the types of claims that receive the expedited review to just three: validity of final orders, constitutionality of the act, and adequacy of the Environmental Impact Statement.

These claims must be filed within 60 days of the final order or action giving rise to that claim. No other claim is affected by the 60-day filing deadline.

Because of the limitations on types of claims covered by the deadline, 2 months is more than ample time to file with the D.C. circuit. Extending to a new year is simply one more delay tactic.

With that, I urge a "no" vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113-88.

Ms. CHU. I rise to offer amendment No. 8, the Chu-Polis-Connolly amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:  
**SEC. 9. POTENTIAL IMPACTS OF PIPELINE SPILL.**

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the Keystone XL pipeline project to determine—

(1) the total projected costs of cleanup activities that would be required in the event of a discharge of oil and hazardous substances from the project; and

(2) the potential impacts of such a discharge on—

(A) public health;

(B) the environment; and

(C) the quantity and quality of water available for agricultural and municipal purposes.

(b) REPORT.—The Comptroller General shall submit to Congress a report containing the findings of the study required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from California (Ms. CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. CHU. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an important amendment, along with Congressman POLIS and Congressman CONNOLLY, to H.R. 3, the Northern Route Approval Act, which would authorize construction of the highly controversial Keystone XL pipeline.

Our amendment calls for the Government Accountability Office to conduct

a study on the cost of cleaning up oil spills from this pipeline. We need to know how much it's going to cost taxpayers to decontaminate our cities, towns, and farmlands when the pipeline leaks. We need to know how a spill will harm residents and the environment. Will it make Americans sick, pollute our water, and contaminate our farms? Americans have the right to know the full cost and harmful impacts that a spill would have.

There are many serious questions and inadequacies in some of the analyses of the project, if not glaring holes. Take greenhouse gas emissions, take pipeline safety and spill response, take alternative pipeline routes—there is too much we don't know. What we do know, though, is that the pipeline will transport oil that is heavily corrosive, making spills more likely and also more difficult and costly to clean up.

Tar sands pipelines in the U.S. have some of the worst spill records. Pipelines in North Dakota, Minnesota, Wisconsin, and Michigan spilled nearly four times as much crude per mile than the national average in the last 2 years. Yet, the Keystone XL pipeline, as planned, will cut across America's heartland. It will run above the Ogallala Aquifer, which is a main source of drinking and farm water for nine States, endangering hundreds of thousands of people.

That is why I oppose the bill. We cannot rush a decision that could have so many harmful impacts on the health of thousands of Americans. And that is why I urge the House to support our amendment.

Join me in asking the GAO to study the cost of spill cleanup and its impact on our health, environment, and water. The American people deserve to know.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. These issues have already been the subject of the study by the State Department. The environmental review process, which included four different Environmental Impact Statements, analyzed oil spills of varying size, the types of releases, and the impacts of oil spills. Additional studies would just waste taxpayer dollars.

I reserve the balance of my time.

Ms. CHU. Mr. Chairman, I yield 1½ minutes to Representative POLIS.

Mr. POLIS. Mr. Chair, I would like to thank my colleagues, Ms. CHU from California and Mr. CONNOLLY from Virginia.

This amendment would require that the Government Accountability Office, which is independent, evaluate the true cost of potential spills from the Keystone XL pipeline. Americans want to know. We want to know what the impact of tar sands spills are on public health, on the environment, on the quantity and quality of water that's available for agriculture and farmers

and for municipalities and for drinking.

We all know that tar sands crude oil can be dangerous. We saw the recent spill in Mayflower, Arkansas. It's critical that we address the true cost of oil pipeline spills and their true impact. It's inevitable that the Keystone XL pipeline will have costly spills and leaks.

Spills are especially concerning because the pipeline is slated to cross over the Ogallala Aquifer, one of the world's largest aquifers that supplies drinking and irrigation water to millions of Americans.

□ 1710

Instead of trying to rubber-stamp the Keystone XL this week and short circuit the very process that Congress established, instead we should be working to ensure that spills won't impact the health of our communities and the quality of our water. I thank the gentlelady for yielding me time.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Ms. CHU. I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I thank my friend from California, Ms. CHU, for her leadership and my colleague, Mr. POLIS, from Colorado. I couldn't be in more congenial company on an amendment that I think is very simple and straightforward.

The American people are entitled to transparency. As Mr. POLIS indicated, leaks are inevitable, and any pipeline corrodes. Especially with this kind of crude oil, which is highly corrosive, you're going to have leaks. The American people are entitled to know the cost of cleanup and the dangers to the environment. I think that's fairly straightforward. I know my colleagues share in the value of transparency in government, and I think that we should be doing that here with the pipeline. I support the amendment and urge its adoption.

Ms. CHU. Mr. Chairman, I urge the House to support our amendment. The American people deserve to know.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, the American people have had 5 years of studies, the longest studies that have happened on any pipeline in our Nation's history. What the American public are waiting for are the jobs that go with this.

U.S. pipeline operators have safely transported oil sands crude for over 40 years. This is not a new concept. The 2011 Pipeline Safety Act further strengthens safety by increasing penalties for violations, authorizing additional safety inspectors, and granting new authorities to enforce the oil spill response plan. That was a bipartisan bill that we passed out of here just last session.

TransCanada has agreed to 57 PHMSA conditions on the pipeline's construction and operation, which is expected to make it one of the safest ever constructed. I urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. CHU).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CHU. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 113-88.

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

**SEC. 9. OIL SPILL RESPONSE PLAN DISCLOSURE.**

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. This amendment would require that TransCanada and any future owner-operator of the Keystone XL pipeline, if there be one, submit its oil spill response plan to the Governor of each State in which the pipeline operates.

I'm well aware that current law requires the Department of Transportation to maintain on file current copies of oil spill response plans and provide any person a copy of that plan. However, those copies are allowed by law to exclude certain information like specific response resources, tactical resource deployment plans, and information on worst-case scenario discharges.

I understand there are concerns about broad distribution of these plans and this proprietary information, but those concerns should not apply to Governors of the States—people like Mary Fallin and Nathan Deal, who many of us have served with—States that this very pipeline would run through. These States have the right to evaluate oil spill response plans in detail, integrate it into their respective emergency management systems, and then provide the necessary resources for appropriate emergency response plans. Reliance upon some redacted plan they would receive from

the Federal Government is not adequate. People's lives and livelihoods are at stake, and locals work together on these situations.

Nor should those Governors be expected to wait until a spill has occurred when they are already in the process of sending first responders into harm's way to receive a copy of the full plan from TransCanada, which is, by law, the only time the company is required to share that unredacted version with the State government.

South Dakota was wise enough to realize the problems with these regulations. The State enacted legislation to mandate receipt of the plan prior to operation of the pipeline. The other States should not have to jump through any hoops just to obtain the information they need in order to provide appropriate emergency response to dangerous situations to protect their citizenry.

When I offered this amendment in the Transportation and Infrastructure Committee, my esteemed colleague, the Honorable Chairman SHUSTER, recognized the need to balance access to these response plans with the need to protect sensitive information from becoming public, and I think this amendment strikes that proper balance by limiting access to the Governors. He offered to work with me on the issue on a future appropriation bill, and I appreciate that kind offer. While I look forward to that partnership, and I commend the chairman for his work to address the issue on the Pipeline Safety Act of 2011, this amendment would improve this Keystone pipeline situation today. We can't wait for some possible future legislation when the likelihood of a spill and the risk to public safety is so great now.

Potential effects of a Keystone XL spill could be devastating. The truth of the matter is that this pipeline is unprecedented, it's dangerous, and there will be spills. Refraining from arming our States with readily available information in order to respond adequately and safely would not be responsible.

Mr. Chairman, I appreciate this time. This issue is important, and it demonstrates Congress's respect for Governors and State governments and the men and women who risk their lives to protect us every day, the first responders. With that, I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. COHEN. I ask that we unanimously support this amendment.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this is a broad issue that could affect a number of pipelines and States. We are prepared to accept this amendment, although we have general reservations



about it, and implementation must be done very carefully.

At our committee markup of H.R. 3, Chairman SHUSTER said he would work on this issue more broadly in the context of reauthorization. Despite these reservations, I'm prepared to accept the amendment.

I yield such time as he may consume to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I appreciate the gentleman from Tennessee bringing this amendment, and I appreciate all of the time and effort that the Transportation and Infrastructure Committee has put into this. I would agree that it's reasonable; the Governors should have this. In fact, TransCanada has agreed to a variety of additional measures that would be part of this, and the Governors should have that. I agree with the gentleman's conclusion.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 113-88.

Mr. HOLT. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:  
**SEC. 9. ENERGY SECURITY.**

This Act shall not take effect until the President determines that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States, except in the following situations:

(1) Where the President determines that providing an exception is in the national interest.

(2) Where providing an exception is necessary under the Constitution, a law, or an international agreement.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, this amendment that I am offering on behalf of the gentleman from Virginia (Mr. CONNOLLY) and the gentleman from Massachusetts (Mr. MARKEY) simply requires that the oil transported through the Keystone XL pipeline, the refined products made from the oil as well, stay in the United States except under certain circumstances.

Now, the proponents of the Keystone pipeline, as we've heard today, say it is important for U.S. energy security. That can't be true if the oil just passes through the United States on its way

to other countries, and there is nothing in the underlying legislation that would require that the oil transported through the Keystone pipeline, or the refined fuels produced from that oil, stay in the United States to benefit American consumers.

□ 1720

In fact, when the president of TransCanada, who got a sweetheart deal through this legislation, was asked whether he would commit to keeping the Keystone tar sands oil and the refined fuels in the United States, he said, no. That's why we need to adopt this amendment.

U.S. oil consumption peaked in 2005. It's declined by more than 10 percent since then. During the same period, U.S. petroleum production increased 38 percent.

So how is this balanced?

We're exporting it.

Now, that's not necessarily bad. For years, the import of oil hurt our balance of trade. But in 2011, the United States became a net exporter of petroleum products for the first time in half a century. We've exported 3 million barrels per day of petroleum products, and in 2012, exports increased to 3.2 million barrels per day.

The Keystone pipeline would transport the dirtiest oil in the world from Canada, through the United States, to refineries on the gulf coast, where it would be exported, tax-free, to foreign countries.

This is just a pipeline, about three-dozen permanent workers assigned to this pipeline. Otherwise, all we get from this is the risk of a spill.

According to the Energy Information Administration, more than 76 percent of the current U.S. petroleum exports come from the gulf coast. In fact, 60 percent of the gas, and 42 percent of the diesel produced at Texas gulf coast refineries was exported.

That fact, that the refined product will be exported, is not speculation. Look at the business plans of Valero, one of the Nation's largest refineries, which operates several facilities on the gulf coast.

Valero's 2012 annual report claims that the U.S. markets are oversupplied to the point where the company's chief executive, Bill Kless, recently said, "There's so much oil, it's got to be moving. Our view is that it's flooding the gulf coast."

And the solution?

Well, Valero is shipping domestically produced crude to Canada for refining under a license that allows the company to send up to 90,000 barrels a day for the next year. It's more than double what we exported to Canada last year.

That's right. One of the largest U.S. refiners in the gulf wants to massively increase exports of American crude to Canada at the same time that we are passing this legislation to send Canadian tar sands oil to the gulf coast. I would like to ask the proponents of this to explain how this makes sense.

The president of the American Petroleum Institute and the CEO of ConocoPhillips have said that we should change U.S. law to allow for the expanded exports of domestically produced oil.

Well, the re-export of crude oil is already allowed under current law. Without my amendment, crude oil that comes out of Keystone could circumvent U.S. refineries and be exported as crude. I ask my colleagues to think hard about how that helps America.

The Keystone XL pipeline would ask the United States to bear all of the environmental risk of transporting the dirtiest oil in the world without ensuring that U.S. consumers or our energy security see any benefits from this.

If the proponents of this legislation are serious about ensuring that the Keystone XL pipeline really does enhance U.S. energy security, they will vote "yes" on this amendment.

I yield back the balance of my time.

Mr. TERRY. Mr. Chairman, I rise in opposition and claim the time.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. I yield myself as much time as I may consume.

A couple of points just so we get the total picture here.

We consume, in America, about 18 million barrels of oil per day. That's what we consume domestically. We've reduced that from 20 a couple of years ago.

Now, currently, when we add or just focus on OPEC oil countries, we're importing, daily, about 4.3 million of that 18 million that we need from OPEC countries—Saudi Arabia, Venezuela—and so building this pipeline, about 800,000 barrels, is about enough to offset the heavy crude from Venezuela.

Even with this pipeline running at its maximum, we will still need to import from OPEC-level countries. So the reality is that the numbers will dictate that we have a long way to go before we're flush in oil where we could be energy independent, not dependent on OPEC. That's one of our goals here in this legislation, is to be free of OPEC oil; keep it in North America.

Now, he also mentioned, the gentleman from New Jersey, a good friend and classmate of mine, that a representative, high-level representative from TransCanada said no, we're not going to guarantee that it all won't be exported.

Well, let's put it in context. There are people who are extracting the oil out of the ground. They contract with TransCanada to transport that to the customer that will have control over it and refine it. So the common carrier in the middle has no control over the contract between the producer and the refiner. That's why he said no. They have no say-so over what the refiner does.

Now, the refiner, just basic common sense, is going to tell you that it economically is cheaper to refine the gasoline in Louisiana, Texas, Oklahoma

and Kansas, and then send out the gasoline product. And that gasoline's going to stay here domestically, maybe a small percentage. I don't know. But the reality is, economics is going to tell you that.

But here's why this amendment has to be defeated, and this is why this is just kind of an absurd amendment because it says none of that oil that's put in a barrel could be exported. None of it. None of its byproducts either.

So if you took the oil and made it into a plastic container of whatever you're exporting, you can't do that, because it's plastic made from something that came through TransCanada.

The gentleman also mentioned diesel. Even at the highest level of our dependence on OPEC oil, because of our use of gasoline as our dominant source of transportation, as opposed to diesel, which is our symbiotic relationship with Europe, where they use diesel, not gasoline, we have exported that, so we can't even continue that level of relationship, that symbiotic relationship where they send us the gasoline they don't use and we send them the diesel. We can't do that.

And as in every barrel, there will be lubricants, there will be gels, there will be other industrial uses that are exported all the time that we couldn't do here.

But what the American consumer wants is the gasoline from that. And economics, marketplace pressures, are going to tell you it's just a lot cheaper to refine it here and then send it to their gas stations, and that's what the consumer wants. That's what's going to happen.

Even the State Department said that was a fallacy that the gasoline was going to be exported.

So this is one of those amendments that sounds populist and good. But when you think it through, it's just a measure to kill the pipeline.

I urge all of my colleagues to vote "no," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113-88 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WEBER of Texas.

Amendment No. 2 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. JOHNSON of Georgia.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Mr. RAHALL of West Virginia.

Amendment No. 6 by Ms. ESTY of Connecticut.

Amendment No. 7 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Ms. CHU of California.

Amendment No. 10 by Mr. HOLT of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

□ 1730

#### AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. WEBER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 168, not voting 19, as follows:

[Roll No. 169]

AYES—246

Aderholt	Crenshaw	Harris
Alexander	Cuellar	Hartzler
Amash	Culberson	Hastings (WA)
Amodei	Daines	Heck (NV)
Bachmann	Davis, Rodney	Hensarling
Bachus	Denham	Hinojosa
Barletta	Dent	Holding
Barr	DeSantis	Horsford
Barrow (GA)	DesJarlais	Hudson
Barton	Duffy	Huelskamp
Benishek	Duncan (SC)	Huizenga (MI)
Bentivolio	Duncan (TN)	Hultgren
Bilirakis	Ellmers	Hunter
Bishop (GA)	Enyart	Hurt
Bishop (UT)	Farenthold	Issa
Black	Fincher	Jenkins
Blackburn	Fitzpatrick	Johnson (OH)
Bonner	Fleischmann	Johnson, Sam
Boustany	Fleming	Jones
Brady (TX)	Forbes	Jordan
Bridenstine	Fortenberry	Joyce
Brooks (AL)	Fox	Kelly (PA)
Brooks (IN)	Franks (AZ)	King (IA)
Broun (GA)	Frelinghuysen	King (NY)
Buchanan	Gallego	Kingston
Bucshon	Garcia	Kinzinger (IL)
Burgess	Gardner	Kline
Bustos	Garrett	Labrador
Calvert	Gerlach	LaMalfa
Camp	Gibbs	Lamborn
Campbell	Gibson	Lance
Cantor	Gingrey (GA)	Lankford
Capito	Gohmert	Latham
Carter	Goodlatte	Latta
Cassidy	Gosar	Lipinski
Chabot	Gowdy	LoBiondo
Chaffetz	Granger	Long
Coble	Graves (GA)	Lucas
Coffman	Graves (MO)	Luetkemeyer
Collins (GA)	Green, Al	Lummis
Collins (NY)	Green, Gene	Maloney, Sean
Conaway	Griffin (AR)	Marchant
Cook	Griffith (VA)	Marino
Cooper	Grimm	Massie
Costa	Guthrie	Matheson
Cotton	Hall	McCarthy (CA)
Cramer	Hanna	McCaul
Crawford	Harper	McClintock

McHenry	Price (GA)	Smith (TX)
McIntyre	Radel	Southerland
McKeon	Reed	Stewart
McKinley	Reichert	Stivers
McMorris	Renacci	Stockman
Rodgers	Ribble	Stutzman
Meadows	Rice (SC)	Terry
Meehan	Rigell	Thompson (PA)
Messer	Roby	Thornberry
Mica	Roe (TN)	Tiberi
Miller (FL)	Rogers (AL)	Tipton
Miller (MI)	Rogers (KY)	Turner
Mullin	Rogers (MI)	Upton
Mulvaney	Rohrabacher	Valadao
Murphy (FL)	Rokita	Veasey
Murphy (PA)	Rooney	Vela
Neugebauer	Ross	Wagner
Noem	Rothfus	Walberg
Nolan	Royce	Walden
Nugent	Runyan	Walorski
Nunes	Ryan (WI)	Walz
Nunnelee	Salmon	Weber (TX)
Olson	Sanford	Webster (FL)
Owens	Scalise	Wenstrup
Palazzo	Schock	Whitfield
Paulsen	Schweikert	Williams
Pearce	Scott, Austin	Wilson (SC)
Perry	Scott, David	Wittman
Peterson	Sensenbrenner	Wolf
Petri	Sessions	Womack
Pittenger	Shimkus	Woodall
Pitts	Shuster	Yoder
Poe (TX)	Simpson	Yoho
Pompeo	Smith (NE)	
Posey	Smith (NJ)	

#### NOES—168

Andrews	Gutierrez	O'Rourke
Barber	Hahn	Pallone
Bass	Hanabusa	Pascarell
Beatty	Hastings (FL)	Pastor (AZ)
Becerra	Heck (WA)	Pelosi
Bera (CA)	Higgins	Perlmutter
Bishop (NY)	Himes	Peters (CA)
Blumenauer	Holt	Peters (MI)
Bonamici	Honda	Pingree (ME)
Brady (PA)	Hoyer	Pocan
Braley (IA)	Huffman	Polis
Brown (FL)	Israel	Price (NC)
Brownley (CA)	Jackson Lee	Quigley
Butterfield	Jeffries	Rahall
Capps	Johnson (GA)	Rangel
Capuano	Johnson, E. B.	Richmond
Cárdenas	Kaptur	Roybal-Allard
Carney	Keating	Ruiz
Carson (IN)	Kelly (IL)	Ruppersberger
Cartwright	Kennedy	Rush
Castor (FL)	Kildee	Ryan (OH)
Castro (TX)	Kilmer	Sánchez, Linda
Chu	Kind	T.
Cicilline	Kirkpatrick	Sanchez, Loretta
Clarke	Kuster	Schakowsky
Clay	Langevin	Schiff
Cleaver	Larsen (WA)	Schneider
Cohen	Larson (CT)	Schrader
Connolly	Lee (CA)	Schwartz
Conyers	Levin	Scott (VA)
Courtney	Lewis	Serrano
Crowley	Loebach	Sewell (AL)
Cummings	Lofgren	Shea-Porter
Davis (CA)	Lowenthal	Sherman
Davis, Danny	Lowey	Sinema
DeFazio	Lujan Grisham	Slaughter
Delaney	(NM)	Smith (WA)
DeLauro	Luján, Ben Ray	Swalwell (CA)
DelBene	(NM)	Takano
Deutch	Lynch	Thompson (CA)
Dingell	Maffei	Thompson (MS)
Doggett	Maloney,	Tierney
Doyle	Carolyn	Titus
Duckworth	Matsui	Tonko
Edwards	McCarthy (NY)	Tsongas
Ellison	McCollum	Van Hollen
Engel	McDermott	Vargas
Eshoo	McGovern	Velázquez
Esty	McNerney	Visclosky
Farr	Meeks	Wasserman
Fattah	Meng	Schultz
Foster	Michaud	Waters
Frankel (FL)	Miller, George	Watt
Fudge	Moran	Waxman
Gabbard	Nadler	Welch
Garamendi	Napolitano	Wilson (FL)
Grayson	Neal	Yarmuth
Grijalva	Negrete McLeod	

#### NOT VOTING—19

Clyburn	DeGette	Flores
Cole	Diaz-Balart	Herrera Beutler

Markey  
Miller, Gary  
Moore  
Payne  
Ros-Lehtinen

Roskam  
Sarbanes  
Sires  
Speier  
Westmoreland

Young (AK)  
Young (FL)  
Young (IN)

Schneider  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sinema  
Slaughter  
Smith (WA)

Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey

Velázquez  
Visclosky  
Wasserman  
Schultz  
Walters  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

Weber (TX)  
Webster (FL)  
Wenstrup  
Whitfield

Williams  
Wilson (SC)  
Wittman  
Wolf

Womack  
Woodall  
Yoder  
Yoho

□ 1757

Ms. FRANKEL of Florida, Ms. MCCOLLUM, Mr. SERRANO, Mrs. MCCARTHY of New York, Messrs. ENGEL, LEWIS, and HOYER, and Ms. SINEMA changed their vote from “aye” to “no.”

Messrs. OWENS and PEARCE, Mrs. ELLMERS, Messrs. ROE of Tennessee, ROGERS of Alabama, MULVANEY, COBLE, BROOKS of Alabama, WEBSTER of Florida, COFFMAN, ENYART, and MULLIN changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 269, not voting 18, as follows:

[Roll No. 170]

AYES—146

Andrews	Eshoo	Luján, Ben Ray
Bass	Esty	(NM)
Beatty	Farr	Lynch
Becerra	Frankel (FL)	Maffei
Bera (CA)	Fudge	Maloney,
Bishop (NY)	Gabbard	Carolyn
Blumenauer	Garamendi	Matsui
Bonamici	Garcia	McCollum
Braley (IA)	Grayson	McDermott
Brown (FL)	Grijalva	McGovern
Brownley (CA)	Gutierrez	McNerney
Butterfield	Hahn	Meeks
Capps	Hanabusa	Meng
Capuano	Hastings (FL)	Miller, George
Cárdenas	Higgins	Moran
Carney	Himes	Nadler
Cartwright	Holt	Napolitano
Castor (FL)	Honda	Neal
Chu	Hoyer	Negrete McLeod
Cicilline	Huffman	O'Rourke
Clarke	Israel	Pallone
Clay	Jeffries	Pastor (AZ)
Cleaver	Johnson (GA)	Pelosi
Cohen	Johnson, E. B.	Peters (CA)
Connolly	Keating	Peters (MI)
Conyers	Kelly (IL)	Pingree (ME)
Cooper	Kennedy	Pocan
Crowley	Kildee	Polis
Cummings	Kind	Price (NC)
Davis (CA)	Kuster	Quigley
Davis, Danny	Langevin	Rangel
DeFazio	Lee (CA)	Roybal-Allard
Delaney	Levin	Ruiz
DeLauro	Lewis	Ruppersberger
DelBene	Loeb sack	Rush
Deutch	Lofgren	Sánchez, Linda
Doggett	Lowenthal	T.
Edwards	Lowey	Sanchez, Loretta
Ellison	Lujan Grisham	Schakowsky
Engel	(NM)	Schiff

Aderholt  
Alexander  
Amash  
Amodei  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishke  
Bentivolio  
Billirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Boustany  
Brady (PA)  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Bustos  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carson (IN)  
Carter  
Cassidy  
Castro (TX)  
Chabot  
Chaffetz  
Coble  
Coffman  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Costa  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Dingell  
Doyle  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Enyart  
Farenthold  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallego  
Gardner  
Garrett  
Gerlach  
Gibbs

NOES—269

Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Hensarling  
Hinojosa  
Holding  
Horsford  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jackson Lee  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kaptur  
Kelly (PA)  
Kilmer  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Lipinski  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Michaud  
Miller (FL)

Miller (MI)  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Paulsen  
Pearce  
Perlmutter  
Perry  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (OH)  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Sherman  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Watt

NOT VOTING—18

Bonner  
Clyburn  
Cole  
DeGette  
Diaz-Balart  
Herrera Beutler

Markey  
Miller, Gary  
Moore  
Payne  
Ros-Lehtinen  
Sarbanes

Sires  
Speier  
Westmoreland  
Young (AK)  
Young (FL)  
Young (IN)

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. YOUNG of Indiana. Mr. Chair, on rollcall No. 170 I was unavoidably detained. Had I been present, I would have voted “nay.”

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR (Mr. LATHAM). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 239, not voting 17, as follows:

[Roll No. 171]

AYES—177

Andrews	Duckworth	Kind
Barber	Edwards	Kirkpatrick
Bass	Ellison	Kuster
Beatty	Engel	Langevin
Becerra	Enyart	Larson (CT)
Bera (CA)	Eshoo	Lee (CA)
Bishop (GA)	Esty	Levin
Bishop (NY)	Farr	Lewis
Blumenauer	Fattah	Lipinski
Bonamici	Fitzpatrick	Loeb sack
Brady (CA)	Foster	Lofgren
Braley (IA)	Frankel (FL)	Lowenthal
Brown (FL)	Fudge	Lowe
Brownley (CA)	Gabbard	Lujan Grisham
Bustos	Garamendi	(NM)
Butterfield	Garcia	Luján, Ben Ray
Capps	Gibson	(NM)
Capuano	Grayson	Lynch
Cárdenas	Green, Al	Maffei
Carney	Grijalva	Maloney,
Carson (IN)	Gutierrez	Carolyn
Cartwright	Hahn	Maloney, Sean
Castor (FL)	Hanabusa	Matsui
Castro (TX)	Hastings (FL)	McCollum
Chu	Heck (WA)	McDermott
Cicilline	Higgins	McGovern
Clarke	Himes	McIntyre
Clay	Holt	McNerney
Cleaver	Honda	Meeks
Cohen	Horsford	Meng
Connolly	Hoyer	Michaud
Conyers	Huffman	Miller, George
Courtney	Israel	Moran
Cuellar	Jackson Lee	Nadler
Cummings	Jeffries	Napolitano
Davis (CA)	Johnson (GA)	Neal
Davis, Danny	Johnson, E. B.	Negrete McLeod
DeFazio	Jones	O'Rourke
Delaney	Kaptur	Pallone
DeLauro	Keating	Pascrell
DelBene	Kelly (IL)	Pastor (AZ)
Deutch	Kennedy	Pelosi
Doggett	Kildee	Peters (CA)
Doyle	Kilmer	Peters (MI)

Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Schakowsky  
Schiff

Schneider  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney

Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Velázquez  
Visclosky  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

Bonner  
Clyburn  
Cole  
DeGette  
Diaz-Balart  
Herrera Beutler

NOT VOTING—17  
Markey  
Miller, Gary  
Moore  
Payne  
Ros-Lehtinen  
Sarbanes

Speier  
Westmoreland  
Young (AK)  
Young (FL)  
Young (IN)

Sinema  
Sires  
Slaughter  
Smith (WA)  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tierney

Titus  
Tonko  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Velázquez  
Visclosky

Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Yarmuth

## NOES—239

Aderholt  
Alexander  
Amash  
Amodel  
Bachmann  
Bachus  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Burgess  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cooper  
Costa  
Cotton  
Cramer  
Crawford  
Crenshaw  
Crowley  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Dingell  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallo  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger

Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Hinojosa  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinsinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo

Paulsen  
Pearce  
Perlmutter  
Perry  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Rahall  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Weber (TX)  
Webster (FL)  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho

□ 1807  
Ms. KAPTUR changed her vote from “no” to “aye.”

So the amendment was rejected.  
The result of the vote was announced as above recorded.

## AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 239, not voting 18, as follows:

[Roll No. 172]

## AYES—176

Andrews  
Barber  
Bass  
Beatty  
Becerra  
Bera (CA)  
Bishop (NY)  
Blumenauer  
Bonamici  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Clarke  
Cicilline  
Clement  
Clay  
Cleaver  
Cohen  
Connolly  
Conyers  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
Delaney  
DeLauro  
DeBene  
Deutch  
Dingell  
Doggett  
Doyle  
Duckworth  
Edwards  
Ellison  
Engel  
Enyart  
Eshoo  
Esty

Farr  
Fattah  
Frankel (FL)  
Fudge  
Gabbard  
Gallo  
Garamendi  
Garcia  
Grayson  
Green, Al  
Gutiérrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck (WA)  
Higgins  
Himes  
Holt  
Honda  
Horsford  
Hoyer  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham (NM)  
Luján, Ben Ray (NM)  
Lynch  
Maffei

Maloney  
Carolyn  
Maloney, Sean  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Meng  
Michaud  
Miller, George  
Moran  
Nadler  
Napolitano  
Neal  
Negrete McLeod  
O'Rourke  
Pallone  
Pascarella  
Pastor (AZ)  
Pelosi  
Peters (CA)  
Peters (MI)  
Pingree (ME)  
Pocan  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda T.  
Sanchez, Loretta  
Schakowsky  
Schiff  
Schneider  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman

Aderholt  
Alexander  
Amash  
Amodel  
Bachmann  
Bachus  
Barletta  
Barr  
Barrow (GA)  
Barton  
Benishek  
Bentivolio  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Boustany  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Buchanan  
Bucshon  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman  
Collins (GA)  
Collins (NY)  
Conaway  
Cook  
Cooper  
Costa  
Cotton  
Cramer  
Crawford  
Crenshaw  
Crowley  
Culberson  
Daines  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger

## NOES—239

Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck (NV)  
Hensarling  
Hinojosa  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce  
Kelly (PA)  
King (IA)  
King (NY)  
Kingston  
Kinsinger (IL)  
Kline  
Labrador  
LaMalfa  
Lamborn  
Lance  
Lankford  
Latham  
Latta  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Marchant  
Marino  
Massie  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo

Paulsen  
Pearce  
Perlmutter  
Perry  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Radel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross  
Rothfus  
Royce  
Runyan  
Ryan (WI)  
Salmon  
Sanford  
Scalise  
Schock  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stewart  
Stivers  
Stockman  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Whitfield  
Williams  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Yoho  
Young (IN)

## NOT VOTING—18

Bonner  
Burgess  
Clyburn  
Cole  
DeGette  
Diaz-Balart

Herrera Beutler  
Huffman  
Markey  
Miller, Gary  
Moore  
Payne

Ros-Lehtinen  
Sarbanes  
Speier  
Westmoreland  
Young (AK)  
Young (FL)

□ 1811

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 238, not voting 18, as follows:

[Roll No. 173]

AYES—177

Andrews	Grijalva	Pallone
Barber	Gutierrez	Pascarell
Bass	Hahn	Pastor (AZ)
Beatty	Hanabusa	Pelosi
Becerra	Hastings (FL)	Perlmutter
Bera (CA)	Heck (WA)	Peters (CA)
Bishop (NY)	Higgins	Peters (MI)
Blumenauer	Himes	Pingree (ME)
Bonamici	Holt	Pocan
Brady (PA)	Honda	Polis
Braley (IA)	Horsford	Price (NC)
Brown (FL)	Hoyer	Quigley
Brownley (CA)	Huffman	Rahall
Bustos	Israel	Rangel
Butterfield	Jackson Lee	Richmond
Capps	Jeffries	Roybal-Allard
Capuano	Johnson (GA)	Ruiz
Cárdenas	Johnson, E. B.	Ruppersberger
Carney	Kaptur	Rush
Carson (IN)	Keating	Ryan (OH)
Cartwright	Kelly (IL)	Sánchez, Linda T.
Castor (FL)	Kennedy	Sanchez, Loretta
Castro (TX)	Kildee	Schakowsky
Chu	Kilmer	Schiff
Cicilline	Kind	Schneider
Clarke	Kirkpatrick	Schrader
Clay	Kuster	Schwartz
Cleaver	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell (AL)
Courtney	Levin	Shea-Porter
Crowley	Lewis	Sherman
Cummings	Loeb sack	Sinema
Davis (CA)	Lofgren	Sires
Davis, Danny	Lowenthal	Slaughter
DeFazio	Lowey	Smith (WA)
Delaney	Lujan Grisham	Smith (WA)
DeLauro	(NM)	Swalwell (CA)
DelBene	Luján, Ben Ray	Takano
Deutch	(NM)	Thompson (CA)
Dingell	Lynch	Thompson (MS)
Doggett	Maloney,	Tierney
Doyle	Carolyn	Titus
Duckworth	Matsui	Tonko
Edwards	McCarthy (NY)	Tsongas
Ellison	McCollum	Van Hollen
Engel	McDermott	Vargas
Enyart	McGovern	Veasey
Eshoo	McNerney	Velázquez
Esty	Meeks	Visclosky
Farr	Meng	Walz
Fattah	Michaud	Wasserman
Foster	Miller, George	Schultz
Frankel (FL)	Moran	Waters
Fudge	Nadler	Watt
Gabbard	Napolitano	Waxman
Gallego	Neal	Welch
Garamendi	Negrete McLeod	Wilson (FL)
Garcia	Nolan	Yarmuth
Grayson	O'Rourke	

NOES—238

Aderholt	Graves (MO)	Owens
Alexander	Green, Al	Palazzo
Amash	Green, Gene	Paulsen
Amodei	Griffin (AR)	Pearce
Bachmann	Griffith (VA)	Perry
Bachus	Grimm	Peterson
Barletta	Guthrie	Petri
Barr	Hall	Pittenger
Barrow (GA)	Hanna	Pitts
Barton	Harper	Poe (TX)
Benishek	Harris	Pompeo
Bentivolio	Hartzler	Posey
Bilirakis	Hastings (WA)	Price (GA)
Bishop (GA)	Heck (NV)	Radel
Bishop (UT)	Hensarling	Reed
Black	Hinojosa	Reichert
Blackburn	Holding	Renacci
Boustany	Hudson	Ribble
Brady (TX)	Huelskamp	Rice (SC)
Bridenstine	Huizenga (MI)	Rigell
Brooks (AL)	Hultgren	Roby
Brooks (IN)	Hunter	Roe (TN)
Broun (GA)	Hurt	Rogers (AL)
Buchanan	Issa	Rogers (KY)
Bucshon	Jenkins	Rogers (MI)
Calvert	Johnson (OH)	Rohrabacher
Camp	Johnson, Sam	Rokita
Campbell	Jones	Rooney
Cantor	Jordan	Roskam
Capito	Joyce	Ross
Carter	Kelly (PA)	Rothfus
Cassidy	King (IA)	Royce
Chabot	King (NY)	Runyan
Chaffetz	Kingston	Ryan (WI)
Coble	Kinzingler (IL)	Salmon
Coffman	Kline	Sanford
Collins (GA)	Labrador	Scalise
Collins (NY)	LaMalfa	Schock
Conaway	Lamborn	Schweikert
Cook	Lance	Scott, Austin
Cooper	Lankford	Sensenbrenner
Costa	Latham	Sessions
Cotton	Latta	Shimkus
Cramer	Lipinski	Shuster
Crawford	LoBiondo	Simpson
Crenshaw	Long	Smith (NE)
Cuellar	Lucas	Smith (NJ)
Culberson	Luetkemeyer	Smith (TX)
Daines	Lummis	Southerland
Davis, Rodney	Maffei	Stewart
Denham	Maloney, Sean	Stivers
Dent	Marchant	Stockman
DeSantis	Marino	Stutzman
DesJarlais	Massie	Terry
Duffy	Matheson	Thompson (PA)
Duncan (SC)	McCarthy (CA)	Thornberry
Duncan (TN)	McCaul	Tiberi
Ellmers	McClintock	Tipton
Fincher	McHenry	Turner
Fitzpatrick	McIntyre	Upton
Fleischmann	McKeon	Valadao
Fleming	McKinley	Vela
Flores	McMorris	Wagner
Forbes	Rodgers	Walberg
Fortenberry	Meadows	Walden
Fox	Meehan	Walorski
Franks (AZ)	Messer	Weber (TX)
Frelinghuysen	Mica	Webster (FL)
Gardner	Miller (FL)	Wenstrup
Garrett	Miller (MI)	Whitfield
Gibbs	Mullin	Williams
Gibson	Mulvaney	Wilson (SC)
Gingrey (GA)	Murphy (FL)	Wittman
Goodlatte	Murphy (PA)	Wolf
Gosar	Neugebauer	Womack
Gowdy	Noem	Woodall
Granger	Nugent	Yoder
Graves (GA)	Nunes	Yoho
	Nunnelee	Young (IN)
	Olson	

NOT VOTING—18

Bonner	Gohmert	Ros-Lehtinen
Burgess	Herrera Beutler	Sarbanes
Clyburn	Markey	Speier
Cole	Miller, Gary	Westmoreland
DeGette	Moore	Young (AK)
Diaz-Balart	Payne	Young (FL)

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 174]

AYES—182

Barber	Hahn	Pallone
Bass	Hanabusa	Pascarell
Beatty	Hastings (FL)	Pastor (AZ)
Becerra	Heck (WA)	Pelosi
Bera (CA)	Higgins	Perlmutter
Bishop (NY)	Himes	Peters (CA)
Blumenauer	Hinojosa	Peters (MI)
Bonamici	Holt	Pingree (ME)
Brady (PA)	Honda	Pocan
Braley (IA)	Horsford	Polis
Brown (FL)	Hoyer	Price (NC)
Brownley (CA)	Huffman	Quigley
Bustos	Israel	Rahall
Butterfield	Jackson Lee	Rangel
Capps	Jeffries	Richmond
Capuano	Johnson (GA)	Roybal-Allard
Cárdenas	Johnson, E. B.	Ruiz
Carney	Kaptur	Ruppersberger
Carson (IN)	Keating	Rush
Cartwright	Kelly (IL)	Ryan (OH)
Castor (FL)	Kennedy	Sánchez, Linda T.
Castro (TX)	Kildee	Sanchez, Loretta
Chu	Kilmer	Schakowsky
Cicilline	Kind	Schiff
Clarke	Kirkpatrick	Schneider
Cleaver	Kuster	Schrader
Cohen	Langevin	Schwartz
Connolly	Larsen (WA)	Schwartz
Conyers	Larson (CT)	Scott (VA)
Courtney	Lee (CA)	Scott, David
Crowley	Levin	Serrano
Cummings	Lewis	Sewell (AL)
Davis (CA)	Loeb sack	Shea-Porter
Davis, Danny	Lofgren	Sherman
DeFazio	Lowenthal	Sinema
Delaney	Lowey	Sires
DeLauro	Lujan Grisham	Slaughter
DelBene	(NM)	Smith (WA)
Deutch	Luján, Ben Ray	Smith (WA)
Dingell	(NM)	Swalwell (CA)
Doggett	Lynch	Takano
Doyle	Maffei	Thompson (CA)
Duckworth	Maloney,	Thompson (MS)
Edwards	Carolyn	Tierney
Ellison	Maloney, Sean	Titus
Engel	Matsui	Tonko
Enyart	McCarthy (NY)	Tsongas
Eshoo	McCollum	Van Hollen
Esty	McDermott	Vargas
Farr	McGovern	Veasey
Fattah	McNerney	Vela
Foster	Meeks	Velázquez
Frankel (FL)	Meng	Visclosky
Fudge	Michaud	Walz
Gabbard	Miller, George	Wasserman
Gallego	Moran	Schultz
Garamendi	Murphy (FL)	Waters
Garcia	Nadler	Watt
Grayson	Napolitano	Waxman
	Neal	Welch
	Negrete McLeod	Wilson (FL)
	Nolan	Yarmuth
	O'Rourke	

NOES—234

Aderholt	Barletta	Bishop (GA)
Alexander	Barr	Bishop (UT)
Amash	Barrow (GA)	Black
Amodei	Barton	Blackburn
Andrews	Benishek	Boustany
Bachmann	Bentivolio	Brady (TX)
Bachus	Bilirakis	Bridenstine

Brooks (AL) Hastings (WA) Pitts  
 Brooks (IN) Heck (NV) Poe (TX)  
 Broun (GA) Hensarling Pompeo  
 Buchanan Holding Posey  
 Bucshon Hudson Price (GA)  
 Calvert Huelskamp Radel  
 Camp Huizenga (MI) Reed  
 Campbell Hultgren Reichert  
 Cantor Hunter Renacci  
 Capito Hurt Ribble  
 Carter Issa Rice (SC)  
 Cassidy Jenkins Rigell  
 Chabot Johnson (OH) Roby  
 Chaffetz Johnson, Sam Roe (TN)  
 Clay Jones Rogers (AL)  
 Coble Jordan Rogers (KY)  
 Coffman Joyce Rogers (MI)  
 Collins (GA) Kelly (PA) Rohrabacher  
 Collins (NY) King (IA) Rokita  
 Conaway King (NY) Rooney  
 Cook Kingston Roskam  
 Cooper Kinzinger (IL) Ross  
 Costa Kline Rothfus  
 Cotton Labrador Royce  
 Cramer LaMalfa Runyan  
 Crawford Lamborn Ryan (WI)  
 Crenshaw Lance Salmon  
 Cuellar Lankford Sanford  
 Culberson Latham Scalise  
 Daines Latta Schock  
 Davis, Rodney Lee (CA) Schweikert  
 Denham LoBiondo Scott, Austin  
 Dent Long Lucas Sensenbrenner  
 DeSantis Luetkemeyer Sessions  
 DesJarlais Lummis Shimkus  
 Duffy Marchant Shuster  
 Duncan (SC) Marano Simpson  
 Duncan (TN) Massie Smith (NE)  
 Ellmers Matheson Smith (NJ)  
 Farenthold McCarthy (CA) Smith (TX)  
 Fincher McCaul Southerland  
 Fitzpatrick McClintock Stewart  
 Fleischmann McHenry Stivers  
 Fleming McIntyre Stockman  
 Flores McKeon Stutzman  
 Forbes McKinley Terry  
 Fortenberry McMorris Thompson (PA)  
 Foss Rodgers Thornberry  
 Franks (AZ) Meadows Tiberi  
 Frelinghuysen Meehan Tipton  
 Gardner Messer Turner  
 Garrett Mica Upton  
 Gerlach Miller (FL) Valadao  
 Gibbs Miller (MI) Wagner  
 Gibson Mullin Walberg  
 Gingrey (GA) Mulvaney Walden  
 Gohmert Murphy (PA) Walorski  
 Goodlatte Murphy (PA) Weber (TX)  
 Gosar Neugebauer Webster (FL)  
 Gowdy Noem Wenstrup  
 Granger Nugent Peterson  
 Graves (GA) Nunes Whitfield  
 Graves (MO) Nunnelee Williams  
 Griffin (AR) Olson Wilson (SC)  
 Griffith (VA) Owens Wittman  
 Grimm Palazzo Wolf  
 Guthrie Paulsen Womack  
 Hall Pearce Woodall  
 Hanna Perry Yoder  
 Harper Peterson Yoho  
 Harris Petri Yoho  
 Hartzler Pittenger Young (IN)

## NOT VOTING—17

Bonner Herrera Beutler Sarbanes  
 Burgess Markey Speier  
 Clyburn Miller, Gary Westmoreland  
 Cole Moore Young (AK)  
 DeGette Payne Young (FL)  
 Diaz-Balart Ros-Lehtinen

## □ 1819

Ms. LEE of California changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 175]

## AYES—182

Andrews Grijalva Nolan  
 Barber Gutierrez O'Rourke  
 Bass Hahn Pallone  
 Beatty Hanabusa Pascarelli  
 Becerra Hastings (FL) Pastor (AZ)  
 Bera (CA) Heck (WA) Pelosi  
 Bishop (GA) Higgins Peters (CA)  
 Bishop (NY) Himes Peters (MI)  
 Blumenauer Hinojosa Pingree (ME)  
 Bonamici Holt Pocan  
 Brady (PA) Honda Polis  
 Braley (IA) Horsford Price (NC)  
 Brown (FL) Hoyer Quigley  
 Brownley (CA) Huffman Rahall  
 Bustos Israel Rangel  
 Butterfield Jackson Lee Richmond  
 Capps Jeffries Roybal-Allard  
 Capuano Johnson (GA) Ruiz  
 Cardenas Johnson, E. B. Ruppersberger  
 Carney Kaptur Rush  
 Carson (IN) Keating Ryan (OH)  
 Cartwright Kelly (IL) Sanchez, Linda  
 Castor (FL) Kennedy T.  
 Castro (TX) Kildeer Sanchez, Loretta  
 Chu Kilmer Schakowsky  
 Cicilline Kind Schiff  
 Clarke Kirkpatrick Schneider  
 Clay Kuster Schwartz  
 Cleaver Langevin Scott (VA)  
 Cohen Larsen (WA) Scott, David  
 Connolly Larson (CT) Serrano  
 Conyers Lee (CA) Sewell (AL)  
 Courtney Levin Shea-Porter  
 Crowley Lewis Sherman  
 Cuellar Lipinski Sinema  
 Cummings Loeb sack Sires  
 Davis (CA) Lofgren Slaughter  
 Davis, Danny Lowey Smith (WA)  
 DeFazio Lujan Grisham Swalwell (CA)  
 Delaney (NM) Takano  
 DeLauro Lujan, Ben Ray Thompson (CA)  
 DelBene (NM) Thompson (MS)  
 Deutch Lynch Tierney  
 Dingell Maffei Titus  
 Doggett Doyle Tonko  
 Doyle Maloney, Sean Tsongas  
 Duckworth Carolyn Van Hollen  
 Edwards Maloney, Sean Vargus  
 Ellison Matsui Veasey  
 Engel McCollum McDermott  
 Enyart McGovern Vela  
 Eshoo McNerney Velázquez  
 Esty Meeks Visclosky  
 Farr Meng Walz  
 Fattah Michaud Wasserman  
 Foster Miller, George Schultz  
 Frankel (FL) Moran Waters  
 Fudge Murphy (FL) Watt  
 Gabbard Nadler Waxman  
 Gallego Neale Welch  
 Garamendi Napolitano Wilson (FL)  
 Grayson Neal Yarmuth  
 Green, Al Negrete McLeod

## NOES—234

Aderholt Black Capito  
 Alexander Blackburn Carter  
 Amash Boustany Cassidy  
 Amodei Brady (TX) Chabot  
 Bachmann Bridenstine Chaffetz  
 Bachus Brooks (AL) Coble  
 Barletta Brooks (IN) Coffman  
 Barr Broun (GA) Collins (GA)  
 Barrow (GA) Buchanan Collins (NY)  
 Barton Bucshon Conaway  
 Benishek Calvert Cook  
 Bentivolio Camp Cooper  
 Bilirakis Campbell Costa  
 Bishop (UT) Cantor Cotton

Cramer Joyce Renacci  
 Crawford Kelly (PA) Ribble  
 Crenshaw King (IA) Rice (SC)  
 Culberson King (NY) Rigell  
 Daines Kingston Roby  
 Davis, Rodney Kinzinger (IL) Roe (TN)  
 Denham Kline Rogers (AL)  
 Dent Labrador Rogers (KY)  
 DeSantis LaMalfa Rogers (MI)  
 DesJarlais Lamborn Rohrabacher  
 Duffy Lance Rokita  
 Duncan (SC) Lankford Rooney  
 Duncan (TN) Latham Roskam  
 Ellmers Latta Ross  
 Farenthold LoBiondo Rothfus  
 Fincher Long Royce  
 Fitzpatrick Lucas Runyan  
 Fleischmann Luetkemeyer Ryan (WI)  
 Fleming Lummis Salmon  
 Flores Marchant Sanford  
 Forbes Marino Scalise  
 Fortenberry Massie Schock  
 Foss Matheson Schrader  
 Franks (AZ) McCarthy (CA) Schweikert  
 Frelinghuysen McCarthy (NY) Scott, Austin  
 Garcia McCaul Sensenbrenner  
 Gardner McClintock Sessions  
 Garrett McHenry Shimkus  
 Gerlach McIntyre Shuster  
 Gibbs McKeon Simpson  
 Gibson McKinley Smith (NE)  
 Gingrey (GA) McMorris Smith (NJ)  
 Gohmert Rodgers Smith (TX)  
 Goodlatte Meadows Southernland  
 Gosar Meehan Stewart  
 Gowdy Messer Stivers  
 Granger Mica Stockman  
 Graves (GA) Miller (FL) Miller (MI)  
 Graves (MO) Miller (MI) Mullin  
 Green, Gene Mulvaney Terry  
 Griffin (AR) Murphy (PA) Thompson (PA)  
 Griffith (VA) Neugebauer Thornberry  
 Grimm Noem Tiberi  
 Guthrie Noem Tipton  
 Hall Nugent Turner  
 Hanna Nunes Upton  
 Harper Nunnelee Valadao  
 Harris Olson Wagner  
 Hartzler Owens Walberg  
 Hastings (WA) Palazzo Walden  
 Heck (NV) Paulsen Walorski  
 Hensarling Pearce Weber (TX)  
 Holding Perlmutter Webster (FL)  
 Hudson Perry Wenstrup  
 Huelskamp Peterson Whitfield  
 Huizenga (MI) Petri Williams  
 Hultgren Pittenger Wilson (SC)  
 Hunter Pitts Wittman  
 Hurt Poe (TX) Wolf  
 Issa Pompeo Woodall  
 Jenkins Posey Womack  
 Johnson (OH) Price (GA) Yoder  
 Johnson, Sam Radel Yoho  
 Jones Reed Young (IN)  
 Jordan Reichert

## NOT VOTING—17

Bonner Herrera Beutler Sarbanes  
 Burgess Markey Speier  
 Clyburn Miller, Gary Westmoreland  
 Cole Moore Young (AK)  
 DeGette Payne Young (FL)  
 Diaz-Balart Ros-Lehtinen

## □ 1823

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. CHU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.



The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 17, as follows:

[Roll No. 176]

**AYES—185**

Andrews	Grijalva	Nolan
Barber	Gutierrez	O'Rourke
Bass	Hahn	Pallone
Beatty	Hanabusa	Pascarell
Becerra	Hastings (FL)	Pastor (AZ)
Bera (CA)	Heck (WA)	Pelosi
Bishop (NY)	Higgins	Perlmutter
Blumenauer	Himes	Peters (CA)
Bonamici	Hinojosa	Peters (MI)
Brady (PA)	Holt	Pingree (ME)
Braley (IA)	Honda	
Brown (FL)	Horsford	
Brownley (CA)	Hoyer	
Bustos	Huffman	
Butterfield	Israel	
Capps	Jackson Lee	
Capuano	Jeffries	
Cárdenas	Johnson (GA)	
Carney	Johnson, E. B.	
Carson (IN)	Kaptur	
Cartwright	Keating	
Castor (FL)	Kelly (IL)	
Castro (TX)	Kennedy	
Chu	Kildee	
Cicilline	Kilmer	
Clarke	Kind	
Clay	Kirkpatrick	
Cleaver	Kuster	
Cohen	Langevin	
Connolly	Larson (CT)	
Conyers	Lee (CA)	
Costa	Levin	
Courtney	Lewis	
Crowley	Lipinski	
Cuellar	Loeb sack	
Cummings	Lofgren	
Davis (CA)	Lowenthal	
Davis, Danny	Lowey	
DeFazio	Lujan Grisham	
Delaney	(NM)	
DeLauro	Luján, Ben Ray	
DelBene	(NM)	
Deutch	Lynch	
Dingell	Maffei	
Doggett	Maloney,	
Doyle	Carolyn	
Duckworth	Maloney, Sean	
Edwards	Matsui	
Ellison	McCarthy (NY)	
Engel	McCollum	
Enyart	McDermott	
Eshoo	McGovern	
Esty	McIntyre	
Farr	McNerney	
Fattah	Meeks	
Fortenberry	Meng	
Foster	Michaud	
Frankel (FL)	Miller, George	
Fudge	Moran	
Gabbard	Murphy (FL)	
Garamendi	Nadler	
Gibson	Napolitano	
Grayson	Neal	
Green, Al	Negrete McLeod	

**NOES—231**

Aderholt	Buchanan	Daines
Alexander	Bucshon	Davis, Rodney
Amash	Calvert	Denham
Amodei	Camp	Dent
Bachmann	Campbell	DeSantis
Bachus	Cantor	DesJarlais
Barletta	Capito	Duffy
Barr	Carter	Duncan (SC)
Barrow (GA)	Cassidy	Duncan (TN)
Barton	Chabot	Ellmers
Benishek	Chaffetz	Farenthold
Bentivolio	Coble	Fincher
Bilirakis	Coffman	Fitzpatrick
Bishop (GA)	Collins (GA)	Fleischmann
Bishop (UT)	Collins (NY)	Fleming
Black	Conaway	Flores
Blackburn	Cook	Forbes
Boustany	Cooper	Foxx
Brady (TX)	Cotton	Franks (AZ)
Bridenstine	Cramer	Frelinghuysen
Brooks (AL)	Crawford	Gallego
Brooks (IN)	Crenshaw	Garcia
Broun (GA)	Culberson	Gardner

Garrett	Luetkemeyer	Rokita
Gerlach	Lummis	Rooney
Gibbs	Marchant	Roskam
Gingrey (GA)	Marino	Ross
Gohmert	Massie	Rothfus
Goodlatte	Matheson	Royce
Gosar	McCarthy (CA)	Runyan
Gowdy	McCaul	Ryan (WI)
Granger	McClintock	Salmon
Graves (GA)	McHenry	Sanford
Graves (MO)	McKeon	Scalise
Green, Gene	McKinley	Schock
Griffin (AR)	McMorris	Schrader
Griffith (VA)	Rodgers	Schweikert
Grimm	Meadows	Scott, Austin
Guthrie	Meehan	Sensenbrenner
Hall	Messer	Sessions
Hanna	Mica	Shimkus
Harper	Miller (FL)	Shuster
Harris	Miller (MI)	Simpson
Hartzler	Mullin	Smith (NE)
Hastings (WA)	Mulvaney	Smith (NJ)
Heck (NV)	Murphy (PA)	Smith (TX)
Hensarling	Neugebauer	Southerland
Holding	Noem	Stewart
Hudson	Nugent	Stivers
Huelskamp	Nunes	Stockman
Huizenga (MI)	Nunnelee	Stutzman
Hultgren	Olson	Terry
Hunter	Owens	Thompson (PA)
Hurt	Palazzo	Thornberry
Issa	Paulsen	Tiberi
Jenkins	Pearce	Tipton
Johnson (OH)	Perry	Turner
Johnson, Sam	Peterson	Upton
Jones	Pittenger	Valadao
Jordan	Pitts	Wagner
Joyce	Poe (TX)	Walberg
Kelly (PA)	Pompeo	Walden
King (IA)	Posey	Walorski
King (NY)	Price (GA)	Weber (TX)
Kingston	Radel	Webster (FL)
Kinzinger (IL)	Reed	Wenstrup
Kline	Reichert	Whitfield
Labrador	Renacci	Williams
LaMalfa	Ribble	Wilson (SC)
Lamborn	Rice (SC)	Wittman
Lance	Rigell	Wolf
Lankford	Roby	Womack
Larsen (WA)	Roe (TN)	Woodall
Latham	Rogers (AL)	Yoder
Latta	Rogers (KY)	Yoho
LoBiondo	Rogers (MI)	Young (IN)
Long	Rohrabacher	
Lucas		

**NOT VOTING—17**

Bonner	Herrera Beutler	Sarbanes
Burgess	Markey	Speier
Clyburn	Miller, Gary	Westmoreland
Cole	Moore	Young (AK)
DeGette	Payne	Young (FL)
Diaz-Balart	Ros-Lehtinen	

□ 1827

So the amendment was rejected.  
The result of the vote was announced as above recorded.

**PERSONAL EXPLANATION**

Ms. MOORE. Mr. Chair, on designated roll-call No. 169, “no,” 170, “aye,” 171, “aye,” 172, “aye,” 173, “aye,” 174, “aye,” 175, “aye,” 176, “aye.”

**AMENDMENT NO. 10 OFFERED BY MR. HOLT**

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

**RECORDED VOTE**

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 255, not voting 16, as follows:

[Roll No. 177]

**AYES—162**

Andrews	Grayson	Neal
Barrow (GA)	Grijalva	Negrete McLeod
Bass	Gutierrez	Nolan
Beatty	Hahn	O'Rourke
Becerra	Hanabusa	Pallone
Bera (CA)	Hastings (FL)	Pascarell
Bishop (GA)	Heck (WA)	Pastor (AZ)
Bishop (NY)	Higgins	Pelosi
Blumenauer	Holt	Perlmutter
Bonamici	Honda	Peters (CA)
Braley (IA)	Hoyer	Peters (MI)
Brown (FL)	Huffman	Pingree (ME)
Brownley (CA)	Israel	Pocan
Bustos	Johnson, E. B.	Price (NC)
Butterfield	Kaptur	Quigley
Capps	Keating	Rangel
Capuano	Kelly (IL)	Roybal-Allard
Cárdenas	Kennedy	Ruiz
Carney	Kildee	Ruppersberger
Chu	Kilmer	Rush
Cicilline	Kind	Sánchez, Linda T.
Clarke	Kirkpatrick	Sanchez, Loretta
Clay	Kuster	Schakowsky
Cleaver	Langevin	Schiff
Cohen	Larson (CT)	Schneider
Connolly	Lee (CA)	Schwartz
Conyers	Levin	Scott (VA)
Costa	Lewis	Scott, David
Courtney	Lipinski	Serrano
Crowley	Loeb sack	Shea-Porter
Cuellar	Lofgren	Sherman
Cummings	Loggren	Sinema
Davis (CA)	Lowenthal	Slaughter
Davis, Danny	Lowey	Smith (WA)
DeFazio	Lujan Grisham	Swalwell (CA)
Delaney	(NM)	Takano
DeLauro	Luján, Ben Ray	Thompson (CA)
DelBene	(NM)	Thompson (MS)
Deutch	Lynch	Tierney
Dingell	Maffei	Titus
Doggett	Maloney,	Tonko
Doyle	Carolyn	Tsongas
Duckworth	Maloney, Sean	Van Hollen
Edwards	Matsui	Vargas
Ellison	McCollum	Veasey
Engel	McDermott	Velázquez
Enyart	McGovern	Wasserman
Eshoo	McIntyre	Schultz
Farr	McNerney	Miller, George
Fattah	Meng	Moore
Fitzpatrick	Michaud	Moran
Foster	Miller, George	Murphy (FL)
Frankel (FL)	Moore	Nadler
Gabbard	Moran	Napolitano
Garamendi	Murphy (FL)	
Garcia	Nadler	
Gibson	Napolitano	

**NOES—255**

Aderholt	Chabot	Fortenberry
Alexander	Chaffetz	Foxx
Amash	Coble	Franks (AZ)
Amodei	Coffman	Frelinghuysen
Bachmann	Collins (GA)	Fudge
Bachus	Collins (NY)	Gallego
Barber	Conaway	Gardner
Barletta	Cook	Garrett
Barr	Cooper	Gerlach
Barton	Costa	Gibbs
Benishek	Cotton	Gingrey (GA)
Bentivolio	Cramer	Gohmert
Bilirakis	Crawford	Goodlatte
Bishop (UT)	Crenshaw	Gosar
Black	Cuellar	Gowdy
Blackburn	Culberson	Granger
Boustany	Daines	Graves (GA)
Brady (PA)	Denham	Graves (MO)
Brady (TX)	Dent	Green, Al
Bridenstine	DeSantis	Green, Gene
Brooks (AL)	DesJarlais	Griffin (AR)
Brooks (IN)	Dingell	Griffith (VA)
Broun (GA)	Doyle	Grimm
Buchanan	Duffy	Guthrie
Bucshon	Duncan (SC)	Hall
Calvert	Duncan (TN)	Hanna
Camp	Ellmers	Harper
Campbell	Esty	Harris
Cantor	Farenthold	Hartzler
Capito	Fincher	Hastings (WA)
Carson (IN)	Fleischmann	Heck (NV)
Carter	Fleming	Hensarling
Cassidy	Flores	Himes
Castro (TX)	Forbes	Hinojosa

Holding	Meeks	Salmon
Horsford	Messer	Sanford
Hudson	Mica	Scalise
Huelskamp	Miller (FL)	Schock
Huizenga (MI)	Miller (MI)	Schrader
Hultgren	Mullin	Schweikert
Hunter	Mulvaney	Scott, Austin
Hurt	Murphy (PA)	Sensenbrenner
Issa	Neugebauer	Sessions
Jackson Lee	Noem	Sewell (AL)
Jeffries	Nugent	Shinkus
Jenkins	Nunes	Shuster
Johnson (GA)	Nunnelee	Simpson
Johnson (OH)	Olson	Sires
Johnson, Sam	Owens	Smith (NE)
Jones	Palazzo	Smith (NJ)
Jordan	Paulsen	Smith (TX)
Joyce	Pearce	Southerland
Kelly (PA)	Perry	Stewart
King (IA)	Peterson	Stivers
King (NY)	Petri	Stockman
Kingston	Pittenger	Stutzman
Kinzinger (IL)	Pitts	Terry
Kline	Poe (TX)	Thompson (PA)
Labrador	Polis	Thornberry
LaMalfa	Pompeo	Tiberi
Lamborn	Posey	Tipton
Lance	Price (GA)	Turner
Lankford	Radel	Upton
Larsen (WA)	Rahall	Valadao
Latham	Reed	Vela
Latta	Reichert	Visclosky
LoBiondo	Renacci	Wagner
Long	Ribble	Walberg
Lucas	Rice (SC)	Walden
Luetkemeyer	Richmond	Walorski
Lummis	Rigell	Walz
Marchant	Roby	Weber (TX)
Marino	Roe (TN)	Webster (FL)
Massie	Rogers (AL)	Wenstrup
Matheson	Rogers (KY)	Whitfield
McCarthy (CA)	Rogers (MI)	Williams
McCarthy (NY)	Rohrabacher	Wilson (SC)
McCaul	Rokita	Wittman
McClintock	Rooney	Wolf
McHenry	Roskam	Womack
McKeon	Ross	Woodall
McKinley	Rothfus	Yoder
McMorris	Royce	Yoho
Rodgers	Ryunan	Young (IN)
Meadows	Ryan (OH)	
Meehan	Ryan (WI)	

## NOT VOTING—18

Bonner	Herrera Beutler	Speier
Burgess	Markey	Westmoreland
Clyburn	Miller, Gary	Young (AK)
Cole	Payne	Young (FL)
DeGette	Ros-Lehtinen	
Diaz-Balart	Sarbanes	

□ 1832

Mr. POLIS changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. I inadvertently voted "aye" when I intended to oppose the amendment.

The Acting CHAIR (Mr. MEADOWS). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. MEADOWS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, and, pursuant to House Resolution 228, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BISHOP of New York moves to recommit the bill H.R. 3 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

**SEC. 9. REQUIREMENT THAT TRANSCANADA KEYSTONE PIPELINE, L.P. PAY FOR ANY OIL SPILL CLEANUP ON AMERICAN SOIL.**

In the approval process authorized under this Act, TransCanada Keystone Pipeline, L.P. shall certify to the President that diluted bitumen and other materials derived from tar sands or oil sands that are transported through the Keystone XL pipeline will be treated as crude oil for the purposes of determining contributions that fund the Oil Spill Liability Trust Fund.

Mr. UPTON (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Speaker, the Bishop-Capps amendment is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Our amendment, which is similar to amendments offered during our committee markups of H.R. 3, corrects a massive loophole in current law that exempts Keystone XL pipeline tar sands from paying millions of dollars into the Oil Spill Liability Trust Fund.

Unlike U.S. crude oil companies, tar sands importers will not pay into the Oil Spill Trust Fund, even though the Trust Fund will be used to pay for any cleanup costs from an oil spill on the Keystone XL pipeline.

That's right. The Keystone XL pipeline, and all other tar sands importers, get all of the protections of the fund if they have an oil spill, but they do not have to pay a dime into it up front.

As we have seen during the Keystone debate on this floor, we can argue over the merits of tar sands oil and we can argue over the merits of granting special permit waivers to TransCanada to build the Keystone pipeline.

However, I would hope that we could all agree that this Congress should not allow the importers of Keystone pipeline tar sands to avoid the per barrel charge that all other oil companies pay to finance the Oil Spill Liability Trust Fund.

In 2011, the Internal Revenue Service concluded that the definitions of "crude oil" and "petroleum product" in the Tax Code do not clearly include tar sands. This interpretation, if allowed to stand, exempts the Keystone XL pipeline tar sands from the excise tax that finances the Oil Spill Liability Trust Fund. In short, this is a \$66,000 per day tax break.

I am sure that some of my Republican colleagues will argue that H.R. 3 is not the appropriate vehicle for making this change to the law, that we should not single out Keystone XL pipeline, and that Congress should consider this change as a part of comprehensive tax reform.

To my colleagues across the aisle, I would argue that this entire bill is about singling out the Keystone XL pipeline, providing special rules and deeming permits approved for everyone anyone can think of.

Our amendment will ensure that TransCanada certifies to the President that Keystone XL pipeline tar sands will be subject to the per barrel excise tax that funds the Oil Spill Liability Trust Fund, ensuring that they pay their fair share.

I yield the remaining time to this amendment's cosponsor, the gentlewoman from California (Mrs. CAPPS).

□ 1840

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, whether it's drilled on land, offshore, or transported via pipeline, oil spills are inevitable. Spills happen, and they will continue to happen, regardless of what we've been told by the oil companies building and maintaining the pipelines.

TransCanada says it will implement lots of safety measures, but accidents happen. In fact, accidents have already happened 14 times on the existing TransCanada Keystone pipeline. And they will almost certainly happen on the proposed Keystone XL pipeline, too. Our amendment simply ensures that those responsible for the spill pay to clean it up.

In 1969, my home district was victim to one of the worst oil spills in U.S. history. I know firsthand the devastating damage to human health,

property, and natural resources that are caused by oil spills. I know there have been numerous assurances that Keystone XL will be safer and spill risks will be minimal, but safer simply does not equal safe, especially when transporting tar sands crude. Tar sands crude is not only more corrosive and dangerous than conventional crude, but it's far more difficult to clean up in the event of a spill.

We need look no further than the tar sands spill in Kalamazoo, Michigan, in 2010. Nearly 3 years after that spill, the cleanup is still ongoing and the costs are approaching \$1 billion. A spill from Keystone could have similarly devastating impacts in America's heartland. If we're going to bear 100 percent of the spill risk as Americans, the least we can do is ensure those responsible pay to clean it up. That's all this amendment does. And I think there's broad agreement on this point.

This is our opportunity to fix the problem right now. If the Keystone XL pipeline is approved as is, the tar sands crude oil will literally get a free ride through the United States. Our amendment ends this.

I urge my colleagues to end the free ride and vote for this amendment.

Mr. BISHOP of New York. I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Speaker, a review over how to treat crude oil derived from oil sands for the purposes of the oil spill liability trust fund is one in fact that we look forward to having, but it needs to be at the appropriate place and time.

I've got to say that we are fully supportive of the goals, purpose, and funding mechanisms of the trust fund, and we believe that the allocation of fees should be done equitably among crude oil received at a U.S. refinery and petroleum products entering the U.S. for use. However, a bill or an amendment to approve a single pipeline project is not the appropriate vehicle for this debate. Frankly, it needs to be part of the tax reform bill that I'm sure that Mr. CAMP and others are going to move later on this year. I wish we could have debated this as an amendment to this bill, but we don't have that opportunity. It's simply a motion to recommit. So let's push it to the right date, and that is part of tax reform later this year.

Mr. Speaker, we have waited over 1,700 days for this project. Many of us have folks that commute 80, 90, even 100 miles a day. They need a source of gasoline. Canada provides 1.5 million barrels literally every day to the United States. They want to send as much as 6 million barrels by 2030. This is the best way to do it. Why send it by truck? Why send it by rail? Let's send it by pipeline. It's safer, more economical, and in fact it's going to help the consumer.

I remind my colleagues that 62 Members of the U.S. Senate earlier this year voted for this project. We need to do it here. Reject the motion to recommit and vote for final passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 223, not voting 16, as follows:

[Roll No. 178]

YEAS—194

Andrews	Garamendi	Miller, George
Barber	Garcia	Moore
Barrow (GA)	Grayson	Moran
Bass	Green, Al	Murphy (FL)
Beatty	Green, Gene	Nadler
Becerra	Grijalva	Napolitano
Bera (CA)	Gutierrez	Neal
Bishop (GA)	Hahn	Negrete McLeod
Bishop (NY)	Hanabusa	Nolan
Blumenauer	Hastings (FL)	O'Rourke
Bonamici	Heck (WA)	Owens
Brady (PA)	Higgins	Pallone
Braley (IA)	Himes	Pascarell
Brown (FL)	Hinojosa	Pastor (AZ)
Brownley (CA)	Holt	Pelosi
Bustos	Honda	Perlmutter
Butterfield	Horsford	Peters (CA)
Capps	Huffman	Peters (MI)
Capuano	Israel	Peterson
Cárdenas	Jackson Lee	Pingree (ME)
Carney	Jeffries	Pocan
Carson (IN)	Johnson (GA)	Polis
Cartwright	Johnson, E. B.	Price (NC)
Castor (FL)	Kaptur	Quigley
Castro (TX)	Keating	Rahall
Chu	Kelly (IL)	Rangel
Ciilline	Kennedy	Richmond
Clarke	Kildee	Roybal-Allard
Clay	Kilmer	Ruiz
Cleaver	Kind	Ruppersberger
Cohen	Kirkpatrick	Rush
Connolly	Kuster	Ryan (OH)
Conyers	Langevin	Sánchez, Linda
Cooper	Larsen (WA)	T.
Costa	Larson (CT)	Sanchez, Loretta
Courtney	Lee (CA)	Schakowsky
Crowley	Levin	Schiff
Cuellar	Lewis	Schneider
Cummings	Lipinski	Schrader
Davis (CA)	Loeb sack	Schwartz
Davis, Danny	Lofgren	Scott (VA)
DeFazio	Lowenthal	Scott, David
Delaney	Lowe	Serrano
DeLauro	Lujan Grisham	Sewell (AL)
DelBene	(NM)	Shea-Porter
Deutch	Luján, Ben Ray	Sherman
Dingell	(NM)	Sinema
Doggett	Lynch	Sires
Doyle	Maffei	Slaughter
Duckworth	Maloney,	Smith (WA)
Edwards	Carolyn	Swalwell (CA)
Ellison	Maloney, Sean	Takano
Engel	Matheson	Thompson (CA)
Enyart	Matsui	Thompson (MS)
Eshoo	McCarthy (NY)	Tierney
Esty	McCollum	Titus
Farr	McDermott	Tonko
Fattah	McGovern	Tsongas
Foster	McIntyre	Van Hollen
Frankel (FL)	McNerney	Vargas
Fudge	Meeks	Veasey
Gabbard	Meng	Vela
Gallego	Michaud	Velázquez

Visclosky  
Walz  
Wasserman  
Schultz

Waters  
Watt  
Waxman  
Welch

Wilson (FL)  
Yarmuth

NAYS—223

Aderholt	Granger	Pearce
Alexander	Graves (GA)	Perry
Amash	Graves (MO)	Petri
Amodel	Griffin (AR)	Pittenger
Bachmann	Griffith (VA)	Pitts
Bachus	Grimm	Poe (TX)
Barletta	Guthrie	Pompeo
Barr	Hall	Posey
Barton	Hanna	Price (GA)
Benishke	Harper	Radel
Bentivolio	Harris	Reed
Bilirakis	Hartzler	Reichert
Bishop (UT)	Hastings (WA)	Renacci
Black	Heck (NV)	Ribble
Blackburn	Hensarling	Rice (SC)
Boustany	Holding	Rigell
Brady (TX)	Hudson	Roby
Bridenstine	Huelskamp	Roe (TN)
Brooks (AL)	Huizenga (MI)	Rogers (AL)
Brooks (IN)	Hultgren	Rogers (KY)
Broun (GA)	Hunter	Rogers (MI)
Buchanan	Hurt	Rohrabacher
Bucshon	Issa	Rokita
Burgess	Jenkins	Rooney
Calvert	Johnson (OH)	Roskam
Camp	Johnson, Sam	Ross
Campbell	Jones	Rothfus
Cantor	Jordan	Royce
Capito	Joyce	Runyan
Carter	Kelly (PA)	Ryan (WI)
Cassidy	King (IA)	Salmon
Chabot	King (NY)	Sanford
Chaffetz	Kingston	Scalise
Coble	Kinzinger (IL)	Schock
Coffman	Kline	Schweikert
Collins (GA)	Labrador	Scott, Austin
Collins (NY)	LaMalfa	Sensenbrenner
Conaway	Lamborn	Sessions
Cook	Lance	Shimkus
Cotton	Lankford	Shuster
Cramer	Latham	Simpson
Crawford	Latta	Smith (NE)
Crenshaw	LoBiondo	Smith (NJ)
Culberson	Long	Smith (TX)
Daines	Lucas	Southerland
Davis, Rodney	Luetkemeyer	Stewart
Denham	Lummis	Stivers
Dent	Marchant	Stockman
DeSantis	Marino	Stutzman
DesJarlais	Massie	Terry
Duffy	McCarthy (CA)	Thompson (PA)
Duncan (SC)	McCauley	Thornberry
Duncan (TN)	McClintock	Tiberi
Ellmers	McHenry	Tipton
Farenthold	McKeon	Turner
Fincher	McKinley	Upton
Fitzpatrick	McMorris	Valadao
Fleischmann	Rodgers	Wagner
Fleming	Meadows	Walberg
Flores	Meehan	Walden
Forbes	Messer	Walorski
Fortenberry	Mica	Weber (TX)
Fox	Miller (FL)	Webster (FL)
Franks (AZ)	Miller (MI)	Wenstrup
Frelinghuysen	Mullin	Whitfield
Gardner	Mulvaney	Williams
Garrett	Murphy (PA)	Wilson (SC)
Gerlach	Neugebauer	Wittman
Gibbs	Noem	Wolf
Gibson	Nugent	Womack
Gingrey (GA)	Nunes	Woodall
Gohmert	Nunnelee	Yoder
Goodlatte	Olson	Yoho
Gosar	Palazzo	Young (IN)
Gowdy	Paulsen	

NOT VOTING—16

Bonner	Hoyer	Speier
Clyburn	Markey	Westmoreland
Cole	Miller, Gary	Young (AK)
DeGette	Payne	Young (FL)
Diaz-Balart	Ros-Lehtinen	
Herrera Beutler	Sarbanes	

□ 1850

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. LATTI was allowed to speak out of order.)

## CONGRESSIONAL SPORTSMEN'S CAUCUS

Mr. LATTI. Mr. Speaker, last week, the largest caucus here in the House of Representatives, the Congressional Sportsmen's Caucus, which is made up of Republicans and Democrats, had its normal yearly shoot, which consists of trap, skeet, and sporting clays, and I'm glad to say that this year the Republicans retained the trophy.

If I could, I would yield to my co-chair of the Congressional Sportsmen's Caucus, the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Well, all I can say to my colleague is this time you were lucky, and I look forward to next year.

But the other thing you said is so important. The Congressional Sportsmen's Caucus is the largest caucus, bipartisan caucus, here in Congress. Those of you who are not members, we ask you to come join us. We do a lot. But for the good that we do, the good that we serve, it's a good deal.

Thank you very much.

Mr. LATTI. I thank the gentleman.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 175, answered “present” 1, not voting 16, as follows:

[Roll No. 179]

AYES—241

Aderholt	Coble	Frelinghuysen
Alexander	Coffman	
Amodei	Collins (GA)	Garrett
Bachmann	Collins (NY)	Gerlach
Bachus	Conaway	Gibbs
Barletta	Cook	Gibson
Barr	Cooper	Gingrey (GA)
Barrow (GA)	Costa	Gohmert
Barton	Cotton	Goodlatte
Benishek	Cramer	Gosar
Bentivolio	Crawford	Gowdy
Billirakis	Crenshaw	Granger
Bishop (GA)	Cuellar	Graves (GA)
Bishop (UT)	Culberson	Graves (MO)
Black	Daines	Green, Al
Blackburn	Davis, Rodney	Green, Gene
Boustany	Denham	Griffin (AR)
Brady (TX)	Dent	Griffith (VA)
Bridenstine	DeSantis	Grimm
Brooks (AL)	DesJarlais	Guthrie
Brooks (IN)	Duffy	Hall
Broun (GA)	Duncan (SC)	Hanna
Buchanan	Duncan (TN)	Harper
Bucshon	Ellmers	Harris
Burgess	Enyart	Hartzler
Bustos	Farenthold	Hastings (WA)
Calvert	Fincher	Heck (NV)
Camp	Fitzpatrick	Hensarling
Campbell	Fleischmann	Hinojosa
Cantor	Fleming	Holding
Capito	Flores	Hudson
Carter	Forbes	Huelskamp
Cassidy	Fortenberry	Huizenga (MI)
Chabot	Fox	Hultgren
Chaffetz	Franks (AZ)	Hunter

Hurt	Mullin	Scalise
Issa	Mulvaney	Schock
Jenkins	Murphy (FL)	Schweikert
Johnson (OH)	Murphy (PA)	Scott, Austin
Johnson, Sam	Neugebauer	Sensenbrenner
Jones	Noem	Sessions
Jordan	Nugent	Sewell (AL)
Joyce	Nunes	Shimkus
Kelly (PA)	Nunnelee	Shuster
King (IA)	Olson	Simpson
King (NY)	Owens	Smith (NE)
Kingston	Palazzo	Smith (NJ)
Kinzinger (IL)	Paulsen	Smith (TX)
Kline	Pearce	Southerland
Labrador	Perry	Stewart
LaMalfa	Peterson	Stivers
Lamborn	Petri	Stockman
Lance	Pittenger	Stutzman
Lankford	Pitts	Terry
Latham	Poe (TX)	Thompson (PA)
Latta	Pompeo	Thornberry
LoBiondo	Poser	Tiberi
Long	Price (GA)	Tipton
Lucas	Radel	Turner
Luetkemeyer	Reed	Upton
Lummis	Reichert	Valadao
Maloney, Sean	Renacci	Vela
Marchant	Ribble	Wagner
Marino	Rice (SC)	Walberg
Massie	Rigell	Walden
Matheson	Roby	Walorski
McCarthy (CA)	Roe (TN)	Weber (TX)
McCaull	Rogers (AL)	Webster (FL)
McClintock	Rogers (KY)	Wenstrup
McHenry	Rogers (MI)	Whitfield
McIntyre	Rohrabacher	Williams
McKeon	Rokita	Wilson (SC)
McKinley	Rooney	Wittman
McMorris	Roskam	Wolf
Rodgers	Ross	Womack
Meadows	Rothfus	Woodall
Meehan	Royce	Yarmuth
Messer	Runyan	Yoder
Mica	Ryan (WI)	Yoho
Miller (FL)	Salmon	Young (IN)
Miller (MI)	Sanford	

## NOES—175

Andrews	Foster	Maffei
Barber	Frankel (FL)	Maloney,
Bass	Fudge	Carolyn
Beatty	Gabbard	Matsui
Becerra	Gallo	McCarthy (NY)
Bera (CA)	Garamendi	McCollum
Bishop (NY)	Garcia	McDermott
Blumenauer	Grayson	McGovern
Bonamici	Grijalva	McNerney
Brady (PA)	Gutierrez	Meeks
Braley (IA)	Hahn	Meng
Brown (FL)	Hanabusa	Michaud
Brownley (CA)	Hastings (FL)	Miller, George
Butterfield	Heck (WA)	Moore
Capps	Higgins	Moran
Capuano	Himes	Nadler
Cárdenas	Holt	Napolitano
Carney	Honda	Neal
Carson (IN)	Horsford	Negrete McLeod
Cartwright	Hoyer	Nolan
Castor (FL)	Huffman	O'Rourke
Castro (TX)	Israel	Pallone
Chu	Jackson Lee	Pascarell
Cicilline	Jeffries	Pastor (AZ)
Clarke	Johnson (GA)	Pelosi
Johnson, E. B.	Johnson, E. B.	Perlmutter
Kaptur	Kapoor	Peters (CA)
Keating	Keating	Peters (MI)
Kelly (IL)	Kelly (IL)	Pingree (ME)
Kennedy	Kennedy	Pocan
Kildee	Kildee	Polis
Kilmer	Kilmer	Price (NC)
Kind	Kind	Quigley
Kirkpatrick	Kirkpatrick	Rahall
Kuster	Kuster	Rangel
Langevin	Langevin	Richmond
Larsen (WA)	Larsen (WA)	Roybal-Allard
Larson (CT)	Larson (CT)	Ruiz
Lee (CA)	Lee (CA)	Ruppersberger
Levin	Levin	Rush
Lewis	Lewis	Ryan (OH)
Lipinski	Lipinski	Sánchez, Linda
Loebach	Loebach	T.
Loftgren	Loftgren	Sanchez, Loretta
Lowenthal	Lowenthal	Schakowsky
Lowe	Lowe	Schiff
Lujan Grisham	Lujan Grisham	Schneider
(NM)	(NM)	Schrader
Lujan, Ben Ray	Lujan, Ben Ray	Schwartz
(NM)	(NM)	Scott (VA)
Lynch	Lynch	Scott, David

Serrano	Thompson (CA)	Velázquez
Shea-Porter	Thompson (MS)	Visclosky
Sherman	Tierney	Walz
Sinema	Titus	Wasserman
Sires	Tonko	Schultz
Slaughter	Tsongas	Waters
Smith (WA)	Van Hollen	Watt
Swalwell (CA)	Vargas	Welch
Takano	Veasey	Wilson (FL)

## ANSWERED “PRESENT”—1

Amash

## NOT VOTING—16

Bonner	Markey	Waxman
Clyburn	Miller, Gary	Westmoreland
Cole	Payne	Young (AK)
DeGette	Ros-Lehtinen	Young (FL)
Diaz-Balart	Sarbanes	
Herrera Beutler	Speier	

□ 1859

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. WAXMAN. Mr. Speaker, during rollcall vote No. 179 on H.R. 3, I was unavoidably detained. Had I been present, I would have voted “no.”

## PERSONAL EXPLANATION

Mr. COLE. Mr. Speaker, on rollcall No. 167, (Ordering The Previous Question on H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted “yea”.

On rollcall No. 168, (Adoption of H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted “aye”.

On rollcall No. 169, (Weber (R-TX) Amendment No. 1—Adds to Section 2 of the bill the State Department's findings that the Keystone XL pipeline is a safe and environmentally sound project) had I been present, I would have voted “yea”.

On rollcall No. 170, (Waxman (D-CA) Amendment No. 2—Adds a finding that “the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions” and provides that the bill will not go into effect unless the President finds that TransCanada or tar sands producers will fully offset the additional greenhouse gas emissions) had I been present, I would have voted “no”.

On rollcall No. 171, (Johnson (D-GA) Amendment No. 3—Requires a study on the health impacts of increased air pollution in communities surrounding the refineries that will transport diluted bitumen through the proposed Keystone XL pipeline) had I been present, I would have voted “no”.

On rollcall No. 172, (Connolly (D-VA) Amendment No. 4—Delays approval of the Keystone XL project contingent on the completion of a threat assessment of pipeline vulnerabilities to terrorist attack and corrective actions necessary to protect the pipeline from such an attack and to mitigate any resulting spill) had I been present, I would have voted “no”.

On rollcall No. 173, (Rahall (D-WV) Amendment No. 5—Strikes section 3 of the bill eliminating the Keystone XL permit approval, allowing the President to continue to delay issuing a permit for the pipeline) had I been present, I would have voted “no”.

On rollcall No. 174, (Esty (D-CT) Amendment No. 6—Strikes language in the bill that allows TransCanada to obtain certain permits for operation and/or maintenance of the pipeline, but continues to allow construction permits to be expedited) had I been present, I would have voted “no”.

On rollcall No. 175, (Jackson Lee (D-TX) Amendment No. 7—Extends the time period for filing a claim under the Act from 60 days to 1 year) had I been present, I would have voted “no”.

On rollcall No. 176, (Chu (D-CA) Amendment No. 8—Requires a GAO study of the Keystone XL project regarding the costs of cleanup activities from a pipeline spill and the potential impacts on health, environment, and water) had I been present, I would have voted “no”.

On rollcall No. 177, (Holt (D-NJ) Amendment No. 10—Prohibits the export of any oil, or all refined petroleum products derived from the oil, transported by the Keystone XL pipeline unless the President finds that there is an exception required by law or it is in the national interest) had I been present, I would have voted “no”.

On rollcall No. 178, (Democrat Motion to recommit H.R. 3 with instructions) had I been present, I would have voted “no”.

On rollcall No. 179, (On Passage H.R. 3—Northern Route Approval Act is expected; please check at the leadership desk for details) had I been present, I would have voted “yea”.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1911, SMARTER SOLUTIONS FOR STUDENTS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113-89) on the resolution (H. Res. 232) providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### HOURLY OF MEETING ON TOMORROW

Ms. FOXX. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### IMPROVING POSTSECONDARY EDUCATION DATA FOR STUDENTS ACT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1949) to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1949

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Postsecondary Education Data for Students Act”.

##### SEC. 2. STUDY ON IMPROVEMENTS TO POSTSECONDARY EDUCATION TRANSPARENCY AT THE FEDERAL LEVEL.

(a) FORMATION OF ADVISORY COMMITTEE ON IMPROVING POSTSECONDARY EDUCATION DATA.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Education shall convene the Advisory Committee on Improving Postsecondary Education Data (in this Act referred to as the “Advisory Committee”), which shall be comprised of 15 members who represent economically, racially, and geographically diverse populations appointed by the Secretary in consultation with the Commissioner for Education Statistics, including—

(A) individuals representing different sectors of institutions of higher education, including individuals representing undergraduate and graduate education;

(B) experts in the field of higher education policy;

(C) State officials;

(D) students and other stakeholders from the higher education community;

(E) representatives from the business community;

(F) experts in choice in consumer markets;

(G) privacy experts;

(H) college and career counselors at secondary schools;

(I) experts in data policy, collection, and use; and

(J) experts in labor markets.

(2) CHAIRPERSON.—The Secretary shall appoint the Chairperson of the Advisory Committee.

(b) STUDY REQUIRED.—The Advisory Committee shall conduct a study examining—

(1) the types of information, including information related to costs of postsecondary education, sources of financial assistance (including Federal student loans), student outcomes, and postgraduation earnings, the Federal Government should collect and report on institutions of higher education to assist students and families in their search for an institution of higher education;

(2) how such information should be collected and reported, including how to disaggregate information on student out-

comes by subgroups of students, such as full-time students, part-time students, nontraditional students, first generation college students, students who are veterans, and Federal Pell Grant recipients under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a); and

(3) the ways in which the Federal Government may make such information more readily available to—

(A) students and their families in a format that is easily accessible and understandable, and will aid students and their families in making decisions; and

(B) States, local governments, secondary schools, individual or groups of institutions of higher education, and private-sector entities.

(c) SCOPE OF STUDY.—In conducting the study under this Act, the Advisory Committee shall, at a minimum, examine—

(1) whether the current Federal transparency initiatives on postsecondary education—

(A) are reporting consistent information about individual institutions of higher education across Federal agencies; and

(B) are similar to transparency initiatives on postsecondary education carried out by States, individual or groups of institutions of higher education, or private-sector entities;

(2) whether—

(A) the collection and reporting of postgraduation earnings by the Federal Government is feasible, and if feasible, the options for collecting and reporting such information;

(B) collecting and reporting such information would improve the use of Federal transparency initiatives and ease decisionmaking for students and their families; and

(C) collecting and reporting such information would have an impact on student privacy, and if so, how such impact may be minimized;

(3) whether any other information, including information relating to student outcomes or identified under the review required under subsection (d), should be collected and reported by the Federal Government to improve the utility of such initiatives for students and their families, and if so, how such information may be collected and reported, including whether the information should be disaggregated by subgroups of students;

(4) whether any information currently collected and reported by the Federal Government on institutions of higher education is not useful for students and their families and should not be so collected and reported;

(5) the manner in which the information from Federal transparency initiatives is made available to students and their families, and whether format changes may help the information become more easily understood and widely utilized by students and their families;

(6) any activities being carried out by the Federal Government, States, individual or groups of institutions of higher education, or private-sector entities to help inform students and their families of the availability of Federal transparency initiatives;

(7) the cost to institutions of higher education of reporting to the Federal Government the information that is being collected and reported through Federal transparency initiatives, and how such cost may be minimized; and

(8) the relevant research described in subsection (d).

(d) REVIEW OF RELEVANT RESEARCH.—In conducting the study under this Act, the Advisory Committee shall review and consider—

(1) research and studies, if any, that have been conducted to determine questions most frequently asked by students and families to help inform their search for an institution of higher education;

(2) the types of information students seek before enrolling in an institution of higher education;

(3) whether the availability to students and their families of additional information on institutions of higher education will be beneficial or confusing;

(4) results, if any, that are available from consumer testing of Federal, State, institution of higher education, and private-sector transparency initiatives on postsecondary education that have been made publicly available on or after the date that is 10 years before the date of enactment of this Act; and

(5) any gaps in the research, studies, and results described in paragraphs (1) and (4) relating to the types of information students seek before enrolling in an institution of higher education.

(e) CONSULTATION.—

(1) IN GENERAL.—In conducting the study under this Act, the Advisory Committee shall—

(A) hold public hearings to consult with parents and students; and

(B) consult with a broad range of interested parties in higher education, including appropriate researchers, representatives of secondary schools (including college and career counselors) and institutions of higher education from different sectors of such institutions (including undergraduate and graduate education), State administrators, and Federal officials.

(2) CONSULTATION WITH THE AUTHORIZING COMMITTEES.—The Advisory Committee shall consult on a regular basis with the authorizing committees in conducting the study under this Act.

(f) REPORTS TO AUTHORIZING COMMITTEES.—

(1) INTERIM REPORT.—Not later than 180 days after the date of enactment of this Act, the Advisory Committee shall prepare and submit to the authorizing committees and the Secretary an interim report describing the progress made in conducting the study under this Act and any preliminary findings on the topics identified under subsection (c).

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Advisory Committee shall prepare and submit to the authorizing committees and the Secretary a final report on the study, including—

(i) recommendations for legislative, regulatory, and administrative actions based on findings related to the topics identified under subsection (c); and

(ii) a summary of the research described in subsection (d).

(B) CONSULTATION WITH NCES.—The Advisory Committee shall consult with the Commissioner of Education Statistics prior to making recommendations under subparagraph (A)(i) with respect to improving the information being collected and reported by the Federal Government on institutions of higher education.

(g) AVAILABILITY OF FUNDS.—The amount necessary to conduct the study under this Act shall be made available from amounts available to the Secretary for administrative expenses of the Department of Education.

(h) DEFINITIONS.—For purposes of this Act:

(1) AUTHORIZING COMMITTEES.—The term “authorizing committees” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(2) FIRST GENERATION COLLEGE STUDENT.—The term “first generation college student” has the meaning given the term in section

402A(h) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(h)).

(3) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that such term does not include institutions described in subsection (a)(1)(C) of such section 102.

(4) SECONDARY SCHOOL.—The term “secondary school” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) SECRETARY.—The term “Secretary” means the Secretary of Education.

(6) STATE.—The term “State” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(7) STUDENT.—The term “student” includes—

(A) a prospective student;

(B) a student enrolled in an institution of higher education;

(C) a nontraditional student (as defined in section 803(j)(2) of the Higher Education Act of 1965 (20 U.S.C. 1161c(j)(2))); and

(D) a veteran (as defined in section 480(c)(1) of such Act (20 U.S.C. 1087vv(c)(1))) who is a student or prospective student.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MESSER) and the gentleman from New Jersey (Mr. ANDREWS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

#### GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1949.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1949, the Improving Postsecondary Education Data for Students Act. I want to thank Chairman KLINE and Higher Education Subcommittee Chairwoman FOXX for their work on and support of this measure. I also want to commend Ranking Member MILLER, Subcommittee Ranking Member HINOJOSA, and our Democratic committee colleagues for their contributions to this bill.

Few decisions in life are bigger than whether to attend college and which college to attend, yet many families struggle to wade through the complicated maze of statistics available to find the information they need to make fully informed, cost-conscious decisions. Consequently, they may choose schools or programs that don't meet their needs and leave them with high debt and limited career potential.

Despite Federal efforts to improve data collection and transparency in the higher education system, families and students still struggle, and institutions of higher learning are spending more time and money than ever. During the 2012–2013 academic year, institutions spent an estimated 850,000 man-hours and almost \$31 million to fill out required Federal surveys. Higher edu-

cation leaders have highlighted several of these requirements as duplicative to State and local transparency efforts and may partially contribute to the increase in college costs.

Through the Improving Postsecondary Education Data for Students Act, we hope to simplify this process and help ensure students can access the information they need to make good decisions while lessening the burden on colleges and universities that have far too many reporting requirements today. The bill would require the Department of Education to evaluate the information colleges and universities are required to provide to determine what helps make students better consumers and what simply buries them in paper—and the schools they attend in paper, as well.

The information yielded by this report will play a critical role in assisting the Education and Workforce Committee's efforts to reauthorize the Higher Education Act. We need to ensure students have the information they actually need in a user-friendly manner to help them make the best decisions they can.

We also must streamline the current regulatory burden of unnecessary and unhelpful reporting requirements imposed on institutions of higher education. This bill will help guide that process.

I urge all of our colleagues to support the Improving Postsecondary Education Data for Students Act, and I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield myself such time as I may consume.

I'm pleased to rise in support of the gentleman's legislation. I think it's an example of how we can work together and achieve a benefit for the American people. I commend him for introducing the bill and would outline our reasons for our support.

Probably the second largest expenditure most Americans make in their lifetime is a college education for themselves or for their children, second only to their real estate, to the home that they buy. It's surprising how little consumer information is available to families before they make that choice.

If you buy a phone, you can find out what apps it can run, how much bandwidth it has, how much it can store, what it can do, what it can't do. You can find all this information about what the phone cost, what it does, and how it works. But if you're about to enroll in a school that purports to teach Web site design, or if you're about to send your son or daughter off to a college to major in philosophy or engineering, it's surprising how little you know about that school.

The gentleman's proposal is that there be an effort by the Department of Education to make those data more accessible and more transparent for students and their families, questions that are natural to ask: What does it cost to go to the school? What happens to students when they graduate from the



school? What kind of jobs do they get? How much money do they make? How much debt do they graduate with? Who transfers in and out of the school and what numbers? How many people finish their education at the schools?

I'm not suggesting that there is any one-size-fits-all list of questions, that it's the right list of questions. What I'm suggesting is that the maximum amount of information should be available to families and students to make reasonable decisions about this sort of thing.

The only comment that I would make further is that we would encourage, Mr. Speaker, the committee leadership to consider bipartisan legislation—that's been sponsored by Mr. DUNCAN HUNTER, Jr., on the majority side; I'm involved in it on the minority side; and the other body, it's sponsored by Senators WYDEN and WARNER, along with Senator RUBIO—that would create this kind of information in a user-friendly, Web-based environment as soon as possibly could be done.

□ 1910

I view this bill as complementary to this effort, and I look forward to working with the gentleman and the other leaders of the committee on this issue.

I would finally say that, on our side, we do strongly believe that the time has come for a full reauthorization of the Higher Education Act. There are a myriad of issues. Tomorrow, we will have student loan financing issues on the floor. There are questions about Pell Grants, the cost of college and numerous other issues that we think are best dealt with in an omnibus and comprehensive fashion.

Having said that, we commend the gentleman for his introduction of the bill, urge its support, and I reserve the balance of my time.

Mr. MESSER. I thank the gentleman from New Jersey for his comments and his leadership on this important topic. It's certainly a pleasure to work with you on this bill and on the other bills that you mentioned.

I would now like to yield 1 minute to my good friend, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman for his leadership and for bringing this bill forward. I appreciate the ranking member's support on this as well.

Mr. Speaker, I rise today to support the Improving Postsecondary Education Data for Students Act.

American moms and dads are working tirelessly to help their children achieve their dreams. For many, that dream includes college. However, the cost of a postsecondary education has become increasingly difficult for a lot of families to bear. Young graduates today are not only confronting a tough job market when they leave school, they are continually facing a growing mountain of debt that is financially burdensome and extremely difficult to pay back. Many students choose schools and their majors without ever

knowing the earning potential of their fields of study. This leaves many young Americans with a lower than expected income and struggling to pay down their loans once they graduate. For some, it can take decades. This has got to change.

In my home State of Virginia, we've become a leader in attempting to address this problem. In 2012, Virginia enacted a requirement that schools in our State publish information regarding the proportion of graduates with employment, their average salaries and higher education debt at 18 months and 5 years after graduation.

I expect that this data will become extremely useful to parents and students alike. Unfortunately, the data available to Virginia is limited to graduates who remain in the Commonwealth. This means that information available in the State database fails to fully capture students that graduate from a school, like the University of Richmond, which attracts students from 46 different States. Very often, they go on to take jobs throughout the country where they become leaders in their fields.

We can help resolve this situation. The Federal Government currently has a significant amount of data that could help parents and students make better decisions regarding the financial benefits of prospective schools and majors, but this information is often hard to understand or is difficult to access.

This bill requires the Secretary of Education to convene a 15-member advisory panel to provide recommendations on how to improve the information available to parents and students when deciding on their schools and majors. This panel will provide an interim report within 6 months and a final one within 1 year for Congress' consideration during the reauthorization of the Higher Ed Act.

This legislation will serve to kick-start the process of improving transparency in higher education and will provide students and parents with the information that they need to make informed decisions so that a college education can continue to be a source of empowerment for millions of Americans. This bill is a great step in the right direction.

I want to thank the gentleman from Indiana (Mr. MESSER) for his leadership, Chairman JOHN KLINE, Chairwoman VIRGINIA FOXX, and the rest of the Education and the Workforce Committee for their work on this issue, and I urge my colleagues to support this bill.

Mr. ANDREWS. I would just ask my friend, Mr. Speaker, if he has any other speakers.

Mr. MESSER. I have two others.

Mr. ANDREWS. I reserve the balance of my time.

Mr. MESSER. I yield such time as she may consume to my friend and colleague from the great State of Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in strong support of the

Improving Postsecondary Education Data for Students Act.

I am the mother of a current college student and a recent college graduate as well as a former general counsel and senior vice president at Ivy Tech Community College in Indiana. I personally and professionally understand the difficult and often life-defining decisions our young people make when they decide where to attend college. Students want to make the most educated decisions they can, but currently, they struggle to access and process all of the data they need to make the best decisions for themselves and their futures, and it's not because there is a lack of data being reported.

Currently, the Federal Government requires colleges and universities to report overwhelming amounts of information. As Congressman MESSER has already said, rather than having institutions across the country spend over 850,000 hours and almost \$31 million to fill out all of these required Federal surveys, why not allow our higher ed institutions to spend those hours and those dollars doing a better job serving our students in classrooms, advising students and figuring out ways to lower tuition costs? The problem is that the Federal Government is not requiring the right information and putting it in a readable and understandable format for students.

This bill directs the Department of Education to conduct a survey on which factors students and families want and need when researching their postsecondary options. It's common sense. I appreciate that it's a bipartisan piece of legislation that will benefit students and our higher ed institutions. This bill is simple, and it helps Congress improve transparency as we approach the reauthorization of the Higher Education Act.

I applaud the work of my fellow Hoosier and colleague Mr. MESSER, and I urge the adoption of this important bill.

Mr. ANDREWS. I continue to reserve the balance of my time.

Mr. MESSER. I would now like to yield 2 minutes to my good friend from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I rise in strong support of this legislation.

I have a personal take on this. I have a 17-year-old son, Copeland, and my wife and I are in the process of guiding him through the difficult and often complex process of choosing a higher education institution to attend.

As families across America know, there are a lot of factors to consider when assessing what institution will provide my son with the best opportunity to graduate college and be set on a path to professionally succeed. In this economy, our children deserve the best possible chance we can give them to find jobs that will allow them to provide for themselves and their future families.

The key to good decisionmaking is having accurate information, and this

legislation will provide my son Copeland and all of the other students of northeast Georgia with the best possible data that they and their parents can use to select the right postsecondary education paths for them.

I urge my colleagues to join me in supporting this bill, and I would like to thank the gentleman from Indiana for his leadership. The nature in which we bring this forward is a positive solution for our country and is a positive solution for the families looking at this decision of higher education.

Mr. ANDREWS. Mr. Speaker, in closing, this is an example of how we can work together and accomplish something constructive for the American people. I am pleased to support this bill, and I would urge a "yes" vote.

I yield back the balance of my time.

Mr. MESSER. I am a former State legislator from Indiana. They used to say on the House floor back there, "Good bill. Should pass," and it's great when you have the opportunity to work together across the aisle on a bill that just makes sense.

My colleague from North Carolina (Ms. FOXX) made the comment that there is a lot of data out there for families but that there is a difference between data and information. Our goal with this bill is to help bring this data together, to get past the data dump and to try to get families the information they need while at the same time lessening the regulatory burden on our colleges and universities. They're doing the best they can with limited resources as well.

So, with that, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 1949, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1920

#### RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS ACT OF 2013

Mr. OLSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 271

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Resolving Environmental and Grid Reliability Conflicts Act of 2013".

#### SEC. 2. AMENDMENTS TO THE FEDERAL POWER ACT.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

- (1) by inserting "(1)" after "(c)"; and
- (2) by adding at the end the following:

"(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

"(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

"(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

"(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the maximum extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination."

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting "or municipality" before "engaged in the transmission or sale of electric energy".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. OLSON) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. OLSON).

GENERAL LEAVE

Mr. OLSON. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 271.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OLSON. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 271, Resolving Environmental and Grid Reliability Conflicts Act of 2013.

My colleagues and I carefully drafted this bill last year to resolve a conflict between the Federal Power Act and environmental rules that, if left unresolved, could create serious problems for the reliability of our Nation's electric grid. With the hot summer coming and power demands set to surge, the potential for dangerous power outages is rising, alongside the mercury.

Just last week, States like California and my own State of Texas were warned by regulators that electricity reserve margins could dip dangerously low. Texas faces critical electricity shortages in the next few years. We simply won't have enough reliable power to guarantee our grid. Rolling blackouts in Texas alone would impact over 25 million people. As coal plants continue to be shut down, pockets of areas across the country could quickly experience blackouts. When the power fails and the AC shuts down on a hot 100-degree day, it's the elderly, the young, and the poor who suffer first.

Prior experience shows that in rare and limited circumstances, emergency actions have been needed to ensure the reliable delivery of electricity. When an emergency exists due to a sudden increase in a demand for electricity or a shortage of supply, the Department of Energy has a tool of last resort to address the emergency. That tool is an emergency order under section 202(c) of the Federal Power Act.

DOE can order a grid connection to be made or power plant to generate electricity when outages occur due to weather events, equipment failures, or the electricity supply is too low to avoid a blackout. As they should, DOE can mandate a company to comply with a 202(c) order, even if it means a brief violation of environmental laws.

Unfortunately, under current law, a company or individual can be penalized for violating environmental laws even when they're following a Federal order to avoid a blackout. In recent years, these conflicting Federal laws have resulted in lawsuits and heavy fines for electricity providers complying with legal orders. Unless Congress passes this legislation to resolve the potential conflict in laws, the section 202(c) tool is in jeopardy.

H.R. 271 eliminates the uncertainty facing power generators and their customers by providing a needed safety valve which clarifies that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any

Federal, State, or local environmental law or regulation. To be clear, these emergency orders are not issued lightly and only under extreme power reliability scenarios. In the last 30 years, this authority has only been invoked about half a dozen times.

If the need arises, my legislation will ensure that DOE works to minimize any adverse environmental impacts by balancing environmental interests with liability considerations.

While some people are concerned that H.R. 271 doesn't go far enough to protect plant operators who might face lawsuits from environmental groups, my bill is a vast improvement over current law.

Major utilities, both public and investor-owned power trade associations believe that a Federal court would be hard pressed to overrule an emergency order issued by the DOE. In a crisis, if this bill becomes law, DOE will be given deference, which will apply to utilities following these orders. DOE will consult with clean air regulators, but the final decision in emergencies will always firmly remain in the hands of those charged with keeping the power flowing.

The protection H.R. 271 offers is critical; and given the number of plant retirements that have been announced, as operators grapple with new EPA air and water rules, I worry that DOE may need to use its emergency authority more often in the future.

I still expect DOE emergency orders to be the exception and not the rule. In those rare instances when the authority is invoked, we should not punish generators who are simply following orders from the Federal Government to keep the power on in an emergency.

Resolving this conflict is critical, which is why I reintroduced this bipartisan legislation in the 113th Congress. It will allow America's power companies to comply with Federal orders to maintain grid reliability during a power emergency without the threats of lawsuits or penalties.

I'm pleased with the widespread bipartisan support this bill has received. This bill is proof that we can find common ground in Washington, D.C., when working to address a glitch in Federal law and provide a reliable energy supply to all Americans.

I want to thank Chairman FRED UPTON, Ranking Member HENRY WAXMAN, Subcommittee Chairman ED WHITFIELD, and Subcommittee Chairman BOBBY RUSH for their support and assistance in moving this bill forward. I also want to thank my original cosponsors on the committee, GENE GREEN of Texas, MIKE DOYLE of Pennsylvania, LEE TERRY of Nebraska, ADAM KINZINGER of Illinois, and their staffs for working with me to fix this problem, to keep the power running for all Americans in an emergency.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation that protects energy consumers, the environment, and those who provide the power.

With that, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 271, the Resolving Environmental and Grid Reliability Conflicts Act.

I'm proud to be an original cosponsor to this bill that we worked on with my good friends, Congressman PETE OLSON and Congressman MIKE DOYLE, last Congress. This bipartisan legislation addresses a conflict in Federal law where a company or individual can be held liable for violating environmental laws when the Federal Government orders them to generate power to avoid blackouts.

□ 1930

Section 202(c) of the Federal Power Act gives the Department of Energy the authority to order an electric generating facility to generate power in order to avoid an electric reliability emergency.

At the same time, the possibility of violating environmental laws and regulations may restrict the operation of power plants or transmission lines. For example, a company may have mothballed a power plant because it had reached its Clean Air Act emissions limit for the year. So if a company, or publicly owned utility, is ordered by DOE to operate under section 202(c), and at the same time is prohibited from operating in accordance with the DOE order due to environmental limitations, the operator must choose which legal mandate to follow. These conflicting legal mandates should not complicate an electric reliability crisis, but they do. It is not fair for the government to put a power generator in this position.

As a longtime member of the Energy and Commerce Committee and someone who has worked on both reliability and environmental legislation during that time, I can honestly say that it was never our intention to put electric generating facilities in the position of having to choose between compliance with one law over another. And while there have only been a couple of instances to date where a generator has been in this situation, this potential for conflict will only grow as several coal-fired plants are scheduled to be taken offline in the coming years.

That is why Congress needs to address this issue. Otherwise, we risk threatening our electric reliability and for certain regions of the country, this issue is coming fast. H.R. 271 simply clarifies that if an emergency order issued pursuant to section 202(c) of the Federal Power Act may result in a conflict with an environmental law or regulation, the order shall expire no later than 90 days after issuance.

This deadline does two things. First, this ensures that the Department of Energy continues to have the necessary authority to "keep the lights

on" in true emergencies. However, it then gives DOE the opportunity to renew or reissue the order for an additional 90-day period only after consulting with the appropriate Federal agencies and including conditions submitted by these agencies to mitigate any potential adverse environmental impacts.

This is not a messaging bill. It's not an anti-EPA bill or an anti-air toxic standards bill. Instead, it's a commonsense bill that addresses a very worrisome deficiency in current law that is only going to become more prominent in the coming years.

I want to thank our ranking member, Mr. WAXMAN, for his continued support of this bill. This is one of a handful of bills that actually were supported by both Democrats and Republicans in the Energy and Commerce Committee, and it has support across the utility industry. My hope is that the committee will continue to refer to the floor truly bipartisan bills like this one. It's time we get back to legislating and not messaging. With that, I encourage my colleagues on both sides of the aisle to support this bill.

I reserve the balance of my time.

Mr. OLSON. Mr. Speaker, I have no other Members wanting to speak, and I'm willing to close if my colleague is as well.

Mr. GENE GREEN of Texas. Mr. Speaker, I encourage my colleagues to support this great legislation.

I yield back the balance of my time.

Mr. OLSON. Mr. Speaker, in closing, I want to thank Chairman UPTON, Ranking Member WAXMAN, subcommittee Chairman WHITFIELD, and subcommittee Ranking Member RUSH for their assistance in getting this bill passed in the 113th Congress.

If my colleagues want to go home next week with an example of bipartisanship for their constituents, vote for H.R. 271.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEWART). The question is on the motion offered by the gentleman from Texas (Mr. OLSON) that the House suspend the rules and pass the bill, H.R. 271.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### APPOINTMENT OF MEMBERS TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the Migratory Bird Conservation Commission:

Mr. WITTMAN, Virginia

Mr. DINGELL, Michigan

# APPOINTMENT AS MEMBERS TO MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239), and the order of the House of January 3, 2013, of the following individuals on the part of the House to the Military Compensation and Retirement Modernization Commission:

Mr. Dov S. Zakheim, Silver Spring, Maryland

Mr. Michael R. Higgins, Washington, D.C.

## COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 17, 2013.

Hon. JOHN BOEHNER,  
*Speaker of the House, U.S. Capitol, Washington, DC.*

DEAR SPEAKER BOEHNER: Pursuant to section 4(c) of House Resolution 5, 113th Congress, I am pleased to re-appoint The Honorable James P. McGovern of Massachusetts as Co-Chair of the Tom Lantos Human Rights Commission.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,  
*Democratic Leader.*

## HONORING MR. AND MRS. BENTON MARKS

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, I rise today to recognize an exceptional Hoosier couple, Mr. Benton and Mrs. Sandi Marks, who are being honored with the 2013 HAI-Life Distinguished Service Award by the Hasten Hebrew Academy of Indianapolis.

Mr. Marks has served as president of both the Hasten Hebrew Academy and the Bureau of Jewish Education, as Jewish Federation campaign chair and president, and as chairman of the State of Israel Bonds. He has also served as a member of the Indiana Judicial Nominating Commission, and has volunteered with numerous civic and professional organizations.

Mrs. Marks has devoted her life to education, serving on the Hasten Hebrew Academy Education Committee and as a board member of the school. She recently retired from Washington Township Schools but continues to serve the district and Indiana as a school psychologist. She is also a trust-

ed friend and confidante of mine on education issues in my capacity as chairman of the subcommittee on K-12 education.

Mr. and Mrs. Marks are wonderful entrepreneurs, excellent philanthropists, and most of all, friends. I am honored to know them, even since my days as Indiana Secretary of State, and I know they will continue to serve as leaders in our Indiana community for many years to come.

## CONGRATULATING MATTHEW MADDOX

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, it is an honor to follow the gentleman from Indiana, the subcommittee chairman of K-12, because I'm going to recognize a leader in our K-12 community in Illinois.

Mr. Speaker, I rise today to recognize Matthew Maddox for being named the VFW National Citizenship Education Elementary Teacher of the Year.

Matthew is a fifth-grade teacher at Columbus Elementary School in Edwardsville, Illinois, and he was selected as the Teacher of the Year from among 60,000 other teachers for his dedication to education, innovative teaching style, and resource development.

In the classroom, Matthew has made it a commitment to recognize the sacrifices made by our Nation's veterans by regularly inviting veterans to visit and share their stories to help make history much more relevant to his students.

In addition to being an educator, Matthew has proudly served our country in the Illinois National Guard's 445th Chemical Company since July 2011, and has enrolled in officer training school at Camp Lincoln in Springfield, Illinois.

Far too often, our Nation's educators do not deserve the credit and recognition they deserve. So I am proud to stand here today to congratulate Matthew Maddox for the work he does in the classroom, and also to thank him for his service to our country.

□ 1940

## HONORING THE SERVICE AND SACRIFICE OF OUR NATION'S VETERANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, I recently visited the Eastern Nebraska Veterans Home in Bellevue. It's a lovely place that is well-designed to care for those who have served in the protection of our country. I had a nice

visit, talking with many of the veterans there, each with their own unique stories of service to our Nation.

A conversation, though, with one man in particular, Mr. Speaker, has stuck with me ever since. Now in his nineties, Don McBride sat quietly as I was speaking to the entire group. But as I was leaving, I went over to him to thank him for his commendable service to our Nation; but as soon as I got those words out, Don stopped me.

You see, Don has a very interesting story. As I understand it, he did not directly enlist in the United States military. It was a unique situation. Don was a pilot with Pan Am Airlines, and during World War II, he helped the war effort by flying planes into China. During World War II, China was our ally.

In all, Don flew 524 missions. He had to put a few planes down a couple of times because they were shot so badly, but he didn't stop. He and his fellow pilots did whatever was needed for the war effort, whether it was engaging Japanese aircraft or delivering aid to remote places in that rough terrain.

For his service, Don was awarded the Presidential Citation, four Bronze Stars, the Air Medal, the Distinguished Flying Cross, and the China Service Medal. He didn't want to tell me all this. He was quite reserved about it, but his nurse encouraged him to share his story.

But, again, as I went to thank him, Don stopped me and he said this, Mr. Speaker. He said: We don't need any thanks. Every man here did it because he wanted to, because it was necessary. I don't know of anybody who has ever been sorry for serving.

Mr. Speaker, it is this spirit of selflessness that lives on in so many of our veterans and the military men and women who are serving our Nation today. They gave, and continue to give, for one simple reason: it is necessary and it is their duty.

On Memorial Day, this coming Monday, we will gather for an occasion that is both solemn and joyful. We honor those who gave everything in service to their countrymen. The formal remembrance of fallen heroes mixes feelings of both sorrow and pride. That a person would lay down his life for his friends, for another, is the noblest of human ideals. That we would unite in gratitude to reflect on the sacrifices of those who have gone before us is one of the greatest human expressions.

And for those who are veterans, Mr. Speaker, who have stood next to persons who have given their all, perhaps holding them as they died, watching helplessly as war consumed another innocent life, their living presence, Mr. Speaker, the living presence of our veterans today is an honor to those who did not come home.

Communal remembrance is a long-standing human tradition. When we focus our remembrance on the war veterans who have sacrificed for us, the act is particularly meaningful and appropriate.

Ever since there has been fighting and dying in war, there's been a calling in the human heart to memorialize the fallen heroes of battle, especially in this Nation, born in war, where the legacies of those who died defending our country are written on our hearts and are seen clearly in the blessings of liberty that we still hold today.

In spite of our political divisions, in spite of the rancor and divisiveness that sometimes exists in this body and in our Nation, we are still called to yield to proper reflection about that which is noble and that which is good.

Mr. Speaker, yet, for nearly 100 years, our fledgling country did not have a day set aside to remember and celebrate the sacrifices of fallen soldiers. In America, the practice of Memorial Day began in the years immediately following the Civil War.

In 1868, the head of an organization of Union veterans established what was called Decoration Day at the time for the Nation to decorate the graves of the Civil War dead with flowers. The day picked was May 30, a day in late spring to ensure that the flowers would be in full bloom across our Nation.

Throughout the countryside, people began to visit cemeteries to decorate the graves of fallen soldiers, both Union and Confederate. On one noted occasion, women living near Columbus, Mississippi, deep within the defeated Confederacy, were so disturbed by the neglected graves of Union soldiers that they took care to see that these graves were properly decorated as well.

Decoration Day grew in popularity and in practice, and by the early 1900s, ceremonies were held on May 30 throughout the Nation. After World War I, the day was expanded to honor those who have died in all American wars. Decoration Day soon became known as Memorial Day. But it was only in 1971 that Memorial Day was declared a national holiday by an act of Congress, to be celebrated annually on the last Monday in May.

Mr. Speaker, this coming Monday, we will continue this solemn tradition and reflect upon its profound meaning. We honor those fallen heroes of yesterday for their sacrifices on our behalf. Their bravery has afforded us the liberty and security we enjoy today.

But the price of the blessings of peace has not come without great cost. Since the Revolutionary War, more than 42 million Americans have risked their lives for our country. Of those, more than 656,000 servicemembers have died in battle. Their loss runs deep in the lives of those whom they left behind. Wives lost husbands, husbands lost wives, parents lost children, and children lost parents. The soldier's ultimate sacrifice is not merely his own, Mr. Speaker.

In 1944, along the northern coastline of France in a place called Normandy, the future of civilization hung in the balance. At 6:30 a.m. on June 6, the first wave of American troops landed at a place called Omaha Beach. As their

Higgins boat troop carriers opened, 18- and 19-year-old young men from cities and farms, from New York to Nebraska, were asked to do the impossible—dash across hundreds of yards of open beach with no cover, in the face of a hail of German machine gun fire and mortars, and take the high ground.

Somehow, somehow, they did this. They withstood the violence and made their way to the steep hillside.

Mr. Speaker, last winter I stood where those soldiers landed, at water's edge, and looked across that beach. It is hard to get the mind around the chaos of that day, to feel what they felt as the horror unfolded before them.

I made my way to that steep hillside, now so peaceful and lovely, and stood in a German machine gun bunker. A young German soldier named Severloh manned the machine gun that day. And in a book that he wrote shortly before he died a few years ago, Severloh said that he wept as he fired his gun at the slaughter that unfolded before him.

I walked around the nearby American cemetery, with its orderly rows of white crosses testifying to the dear price our soldiers paid. I stopped at the grave of a young man named Billy D. Harris, from Oklahoma. Billy D. Harris had married young and died young. His wife didn't know that her husband had been killed and buried there until about 10 years ago. Such is the chaos of war. She never remarried. She had all her hopes that her husband would one day return to her.

I proceeded on to the little town of Sainte-Mere-Eglise, where our airborne troops landed the night before the D-day invasion.

□ 1950

Some fell into the town square occupied by Germans. One soldier's parachute got caught on the church roof and he hung there as the battle raged below. A replica of the parachute and soldier still hangs from the church today.

In August of 1944, a young medical doctor left his wife and two children and entered the Army. He was first headquartered at a hospital in England, where the last official records show that he was located. As Patton's Army moved against the Germans, Captain Luther Sexton Fortenberry went into action in France, probably to begin field operations there. In November of 1944, he was killed by ordnance explosion. He was my grandfather. He was initially buried at the cemetery at Sainte-Mere-Eglise. Now he is reinterred here in Washington at Arlington National Cemetery.

As part of our civic life, Mr. Speaker, we honor the memory of all those who have served us. We all know of the great battles and heroic sacrifices at places like Bunker Hill, Omaha Beach, Khe Sanh, and Fallujah. What we do not know are the untold stories, witnessed by no one, of Americans who fought it out to the death to preserve our country. We also do not know the

untold stories of the many who left their families and quietly performed their duty with no questions or demands made; the veterans who maintained tanks and aircraft, cooked, computed, cleaned, and drove.

Today, we honor our loved ones and ancestors lost long ago as well as those who have left us more recently. The sting of loss is not so distant for some whose loved ones have given their lives of late in Iraq and Afghanistan. Of the American soldiers who have been killed there, 72 were Nebraskans.

Like so many of our colleagues, Mr. Speaker, I have attended many funerals and memorial services for those who have been killed from my district. I have seen many of the families bravely bear the weight of this devastation. I have seen communities come together to honor their local heroes and to help bring healing to these hurting families. I could not be more proud of these patriots and their family members for their remarkable bravery, their remarkable honor, their character, their selflessness—young men and women of the highest caliber who, like so many before them, gave themselves for their country, fighting courageously for America and our ideals of liberty, equality, and justice for which they died.

Mr. Speaker, I was recently contacted by the family of John Douangdara. John and his family are new Americans. His parents came here from Laos. He was killed several years ago when his helicopter was shot down in Afghanistan. You may remember the incident. We lost 30 servicemembers that day. On Memorial Day, John's family is gathering in South Sioux City, Nebraska, to erect a statue in his honor. I'm grateful—no, perhaps privileged—to be asked to join them on that day.

Like his fellow soldiers, John Douangdara was an American. He was loyal. He was brave. And now he is free. His sacrifice, and the sacrifice of all American veterans, brings to mind the seriousness of our time.

Memorial Day is an especially important time of reflection for lawmakers. We carry a tremendous responsibility to recognize the real-life consequences behind our policy deliberations, analyses, and votes.

On that first Decoration Day in 1868, Major General John Logan offered his posts these words as he ordered them to decorate the graves of the war dead. He said this, Mr. Speaker:

We should guard their graves with sacred vigilance. Let pleasant paths invite the coming and going of reverent visitors and fond mourners. Let no neglect, no ravages of time, testify to the present or to the coming generations that we have forgotten as a people the cost of a free and undivided Republic.

Mr. Speaker, during a visit to a nearby hospital to see our wounded here in Washington, there was a soldier there whose wounds were pretty devastating. As I was leaving, I noticed there was a sign hanging on the outside of his door.

It said: America—home of the free because of the brave.

Mr. Speaker, I yield back the balance of my time.

### CONGRESSIONAL PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. I rise today on behalf of the Congressional Progressive Caucus.

The Congressional Progressive Caucus has been fighting for economic fairness for the middle class and those striving to be in the middle class for this entire country. Today, we would like to talk specifically about the growing, skyrocketing student debt that we have in this country.

Just this past weekend, 6,200 students graduated from the flagship university in my State, my alma mater, UW-Madison. These young people leave Madison with new friends, new skills, new knowledge, and, most importantly, access to increased economic opportunity through their college diploma.

Students with a bachelor's degree have half the unemployment rate of those with a high school degree. In 2012, students with a bachelor's degree earned almost 80 percent more than someone with a high school diploma in a similar position. Unfortunately, these students are also leaving college with something else: unprecedented levels of student loan debt.

The drastically increasing student loan debt held by Americans across the country can be considered nothing less than a crisis. Not a looming crisis, but an urgent, already-here crisis. Total student debt in this country now tops \$1 trillion. That exceeds all the credit card debt in this country. And that's up from just \$200 billion in 2000, just 12½ years ago. Every second in America, total student debt increases by \$2,854. According to the New York Federal Reserve, total student debt has tripled over the last 8 years, representing a 70 percent increase in both the number of people with debt and the average debt held per person.

About two-thirds of the class of 2011 graduated with student debt. Their average debt was more than \$26,000. In my home State of Wisconsin, the weight of student loan debt is severely affecting college graduates' ability to support themselves and their families.

There's an organization in Wisconsin that I want to give a little thanks and credit to. One Wisconsin Now is a progressive think tank run by Scot Ross. This organization has made it one of their leading efforts to talk about rising students debt and the trillion-dollar debt that we have and what it's doing to our economy. Thanks to them, I have some stories and figures to share specific to Wisconsin, and nationwide.

According to one study from One Wisconsin, the average monthly pay-

ment made by Wisconsinites with a bachelor's or advanced degree is nearly \$400 a month. It's \$388, to be exact. Let's put it in this perspective. Before someone can pay their rent or their mortgage, their utilities, their groceries, child care, they already owe \$400 in student loans. If they're lucky, they'll have some funds left over to save for retirement.

□ 2000

Because of these exorbitant rates, it will take the average citizen in my State almost 19 years to pay off their student loan debt from a 4-year university.

There are some long-term economic effects to this. The effects of the skyrocketing costs are twofold:

Number one, at a time when a college degree is more important than ever to obtain reliable employment, we are in grave danger of pricing too many of our young students out of a college education. These drastic increases in tuition have occurred at the same time that we have seen the worst economic downturn since the Great Depression.

We know that to compete for the jobs of the 21st century and to thrive in a global economy, we need a growing, skilled, and educated workforce, particularly in the areas of science, technology, engineering, and math.

It is estimated that the U.S. will need 22 million more college-educated workers by the year 2018. Currently, driven partly by rising college costs, we are expected to fall short by 3 million workers. Our colleges and universities such as UW-Madison and Beloit College and others in my district have the talented faculty to produce our 21st-century workforce, but they need the students to teach and train. And an unaffordable college education is an unaffordable future for our country.

In the short term, we also see these effects on our economy. As students become more and more bogged down with high student loan debt, they're understandably reducing their expenditures in our current economy. According to one study by One Wisconsin, due to the high burdens put on students from their loans, new car purchases in our State are reduced by more than \$200 million annually, and that's just in the State of Wisconsin. Meanwhile, households with student loan debt are overwhelmingly more likely to rent a home than to own a home, affecting home sales throughout America.

Owning a home, buying a car—these aren't just typical byproducts of the American Dream. These are important components of our country's overall economic health. If our economy is to recover—not just in Wisconsin, but across the country—we need to see strength in these two markets.

So we find ourselves at a crossroads. Instead of providing an enriched and educational background and advanced economic opportunity for our young people, a college education is increasingly trapping students in endless debt,

preventing them from advancing economically and contributing to our economy.

If we continue to believe that an accessible, affordable, and quality education should be a national priority, that it is critical to our future economic prosperity, then we need to come up with a long-term plan to manage the skyrocketing costs of education.

Now, Democrats have already done a number of efforts in these areas. We've tried to increase the maximum Pell Grant from \$4,050 in 2014 to \$5,645 in 2016. We have increased income-based repayment programs to ensure that graduates can manage loan repayments during stressed economic times. We have tried to create the American Opportunity Tax Credit, providing a maximum of \$2,500 tuition tax credits to eligible families and students. We have provided loan forgiveness for graduates in public interest careers after 10 years of payments, and for everybody else after 25 years of payments. And we have required schools to give an online calculator so that students and families can estimate their costs based on their family's financial condition.

But we need to and we must do more over the long run. We can restore consumer protections for our students. We can increase our funding for higher education. And we can reauthorize the Higher Education Act and protect programs like Pell Grants that support low-income students attending college.

But as we all know, we have a pressing issue facing our body right now that will affect students who live in every single one of our districts. Unless we take action, on July 1 interest rates on subsidized Stafford loans will double, from 3.4 percent to 6.8 percent. If we do nothing at a time when our country is still facing a steep economic recovery, 7 million low- and middle-income students nationwide will see their student loan rates increase. That's 7 million people in this country will have their rates increase on student loans. That will wind up costing student borrowers \$1,000 more a year. If we do nothing, that will add \$4.3 billion to students' debt burden in just 1 year alone. Quite simply, we cannot afford to do nothing. Allowing these interest rates to double would represent a dereliction of our duties.

Right now, banks can receive loans from the Federal Reserve at historically low levels, less than 1 percent. If banks can receive such loans, shouldn't we protect lower loans for our students who are struggling in today's economy more than anyone else?

Last year, before I arrived in Washington, Congress extended the 3.4 percent rate for 1 full year. There are a number of bills right now—including those introduced by my Democratic colleagues—that would extend the 3.4 percent rate by at least 1 year, if not more. But we must take action now before we risk drowning our future workforce in even more student loan debt.



Now, this body, this House tomorrow will be taking up a measure, H.R. 1911, the “Make College More Expensive Act.” Unfortunately, the legislation this body will consider, instead of providing needed relief for our students, will instead only make college more expensive for millions of young people and their families across the country.

As I mentioned, if we don’t act by July 1, interest rates on subsidized student loans will double, from 3.4 percent to 6.8 percent. The Republican legislation that we have before us tomorrow would be even worse for students than if we did nothing at all.

By tying Federal student loan rates to the 10-year Treasury note, the interest rate for a student entering college next year will be reset every year he or she is in college. Why is that a problem? Well, because by the time next year’s freshmen graduate and start repaying their loans in the year 2017, the interest rate that freshman had on his or her first loan that first year of college is projected to more than double today’s current rate for subsidized Stafford loans.

In practical terms, what that means over the long run is a student who is about to enroll in their first year of college will pay higher interest rates under the Republican plan than if Congress lets the current rates double. Again, this bill is even more damaging than if we do nothing—which we should do as a body.

According to the nonpartisan Congressional Research Service, students who borrow the maximum amount of Stafford loans over 5 years will pay \$1,300 more in interest rates under the Republican plan before this body tomorrow than if we allow those rates to double and nearly \$6,000 more than if we kept the rates at 3.4 percent. The overall cost to students and families would be \$4 billion in additional interest payments over the next decade compared to our current law.

Let me repeat that: if we pass H.R. 1911, it will cost our students and families \$4 billion more over the next 10 years than if we keep the law the way it is.

These facts don’t lie. The bill does not make college more affordable; it does just the opposite. It worsens the student debt crisis that we should be working to solve. And this is just another case of mistaken priorities and misguided plans.

While the Democrats are working hard to even the playing field, Republicans would make it even harder for the average American to be able to afford college.

H.R. 1911 imposes a long-term financial burden on young people looking to pursue higher education. It will put \$4 billion additional in student debt over the next decade that would have been used otherwise to help pay down our deficit. This is not a sustainable, balanced way to deal with our deficit; and it’s certainly no way to ensure a thriving future for the next generation of America.

We’ve seen time and time again how student debt stifles our economy. We cannot afford to make college more expensive for the very Americans trying to get that education.

I am very pleased to be joined by another freshman Member of this body, a Representative from the State of New York who is the author of one of these bills that will make sure that we keep that interest rate at 3.4 percent and not allow it to double on July 1. I would like, Mr. Speaker, to yield to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Well, let me first thank the distinguished gentleman from the Badger State, my good friend, Representative MARK POCAN, who has been such a tremendous leader on this issue and a tremendous leader on issues of significance to progressive America—to America, in fact—during his short time in the Congress.

We’ve seen week after week, month after month, Representative POCAN has come to the floor of the House of Representatives, the people’s House, and boldly articulated a progressive vision for how we can deal with some of the problems that we confront today in America.

□ 2010

And certainly when we talk about wrapping our arms collectively around the issues of great significance to this country of ours, dealing with the crisis in higher education is of utmost importance.

As Representative POCAN has eloquently laid out, if the Congress does not act by July 1, more than 7 million Americans will face a doubling of their student loan interest rate from 3.4 percent to 6.8 percent, increasing an already heavy burden as it relates to their college education.

Why is it important that we address this issue? Well, one, the cost of a college education in America keeps going up, but the amount of financial aid available to these students keeps coming down. And so college and higher education, which is a pathway toward the American Dream, is increasingly out of reach for low-income Americans, for working families, for the sons and the daughters of the middle class.

Why is this troubling? Well, it’s troubling because it’s clear that going to college makes sense as it relates to creating a better future for Americans.

This chart that we have illustrates the point in a very compelling way—Education Pays. This lays out the median weekly earnings of individuals at different levels of educational attainment.

Now, with less than a high school diploma, you earn approximately \$451 a week and your unemployment rate is in excess of 14 percent.

If you’ve got a high school diploma or a GED, you’ll make around \$638 per week. You still have a very high unemployment rate on average of 9.4 percent.

If you get a bachelor’s degree, your weekly earnings increase exponentially to \$1,053 per week, and your average unemployment drops to 4.9 percent.

And if you were to take that a step further and obtain a professional degree, your weekly average earnings increase to in excess of \$1,600 per week, and your collective unemployment rate drops to 2.4 percent.

Education pays.

And that’s why for the good of America, we support the position that we should invest in young people—help facilitate their pursuit of a college education. It will benefit them, it will benefit their families, it will benefit the communities from whence they come, and it will also, of course, benefit America.

But today, as was indicated by Representative POCAN, we have a student loan debt crisis that we confront in America. Student loan debt is now second only to home mortgages in collective debt as it relates to the American people. It was staggeringly high just a few years ago—\$650 billion or so. It now exceeds \$1 trillion. It’s a crisis of incredible proportion.

Now, similar to Representative POCAN and the distinguished gentleman from Pennsylvania, Representative CARTWRIGHT, we’ve only been here for a couple of months; but it’s been clear in that relatively short period of time that there are many in the people’s House who consistently talk about the notion that the debt that we have in America is a moral imperative for us to get under control. It exceeds \$16 trillion.

They blame President Obama for that debt, and that’s why we have an irresponsible fight every time there’s occasion to raise the debt ceiling. I don’t want to dwell on that fact, but parenthetically I will note that we’re in the situation that we’re in today, not because of assistance that the government has provided to those seeking higher education or other positive domestic spending programs, we’re in this situation—that \$16 trillion debt situation—because of some irresponsible decisions that were made during the 8 years of the previous administration. That’s just the facts.

But they’ll talk—some of our good friends on the other side of the aisle—about this moral imperative to deal with the debt that we have in America. How dare we shoulder future generations with such a burden.

But then when it comes to the more than \$1 trillion debt burden that is actually being shouldered by younger Americans, what we’ve gotten is an irresponsible bill, H.R. 1911, that will actually make a bad situation even worse.

As Representative POCAN indicated, I’ve introduced legislation that would freeze the current interest rate at 3.4 percent. There are other ideas on this side of the aisle, all designed to deal with making sure that as many Americans as possible can go to college, that

it is affordable, and they can leave college with a minimum amount of debt so they can accelerate their entry into society as productive Americans.

That's really what we want. Because the higher the debt burden that the average American faces—young American—the more likely it is that they'll put off consumer spending decisions that are important to our economy, such as the purchase of a home; they'll put off because of their student loan debt burden, starting a family; many who might otherwise be future entrepreneurs create start-up companies that may become the next Google or the next Yahoo or the next Facebook, they put off those decisions because they need the certainty of a job that will help pay down this debt. And so there are a lot of complications that are created as a result of the \$1 trillion debt burden that we have in America.

And so how are we going to deal with this problem? Well, the GOP proposal, as I mentioned, really will make a bad situation worse. Under the current interest rate, 3.4 percent, over the next 5 years, someone with a subsidized Stafford loan would have about \$4,174 in debt. If we did nothing and allowed the increase to take place on July 1, that same individual would have \$8,808 in debt over a 5-year period.

But with the GOP proposal, H.R. 1911, the student would be in the worst possible position: in excess of \$10,000 in debt. This is not an appropriate approach for our future college students, for younger Americans, for this great country of ours. That's why we are urging the rejection of H.R. 1911. Let's come to the table and have a discussion that allows younger Americans and our college students to benefit from the historically low interest rates that exist and allow them to pursue the dream of a college education so they can grow and prosper and benefit the good of the country.

□ 2020

Mr. POCAN. Thank you, Representative JEFFRIES, for your leadership on this issue and for your bill, which I am very proud to be a cosponsor of. I think that it's fair to say that college students and aspiring college students, not just in New York but across the country, owe you a good kind of debt for the work that you're doing. Thank you so much for continuing to expose what we need to expose, which is that the bill before this body tomorrow will cost \$10,000 in interest more than it has to. It is worse than if we simply did nothing and let the loans double on July 1. We need to act. We have bills, like Representative JEFFRIES' bill, with which to do that.

I would like to share one story from One Wisconsin Now, and then I'd like to introduce another colleague of mine. Onewisconsinnow.org has collected these stories, and this is a story from a woman named Alexandra who is in my district. Let me read what she says:

I am 27, and my student loans forbid me from living in a safe neighborhood. I have to

live where there is cheap housing, and must live with a roommate. I can't afford a car payment, and don't have one. I live paycheck to paycheck, and virtually save no money. I have a great job, one that I worked very hard to get, and three-quarters of my entire paycheck go towards my student loan payments. I live every day worrying that, someday, my student loans are going to get the best of me financially. I am very close to defaulting on my loans. I fear never having the opportunity to buy a house or a car, invest or have a savings account, have a family or pay for my children's education. I fear the thought of merely surviving. I have to live with the fact that this will likely be my life for the next 20 years.

Alexandra, thank you so much for sharing your story with One Wisconsin Now so we can share it here today. You're not alone. I have a lot of stories from people in Wisconsin who have shared the exact same story. With the current pace we're on, if we don't fix student loans and the cost of education, we are going to put so much extra burden on your generation and the next generation that, again, you will not have the opportunities that many of us have had towards buying a car, buying a home, getting your family jump-started. So this is a crisis. It's a real crisis right now, and we need to address that.

I have another colleague to whom I would like to yield. Representative MATT CARTWRIGHT is another one of our freshmen from Pennsylvania. He is also the freshman class president for the Democrats, taking on a leadership role among our body, and he has been an outspoken advocate for the middle class in this country and especially for those voices in Pennsylvania.

Mr. Cartwright.

Mr. CARTWRIGHT. I thank you, Mr. POCAN.

Mr. Speaker, talking about the middle class is something that isn't done enough of here in this Chamber. The middle class is something that makes America what it is.

The middle class is something that speaks to Americans and says: Come join us. We represent opportunity in this country. We represent the ability to achieve more, to realize the American Dream.

It's the middle class that makes America different from so many other nations in this world, and it's the middle class for which we must work overtime to make sure we preserve it, because if we lose the middle class in this country, we lose the sense of opportunity, the sense of hope, the sense of upward mobility. We lose an essential element of what it is to be Americans. We have to do everything we can to preserve the middle class, and one of the biggest, stoutest pillars of the middle class is our education system in this country, including the higher education system.

I rise, Mr. Speaker, in opposition to H.R. 1911, on the floor tomorrow. Nominally, it is called the Smarter Solutions for Students Act. I call it—and many of my colleagues call it—the “Make College More Expensive Act,”

which is a much more accurate title for this bill.

According to the Congressional Research Service, under H.R. 1911, students who borrow the maximum amount of \$27,000 of unsubsidized and subsidized Stafford loans over 5 years would pay \$12,374 in interest; or \$10,867 in interest under current law if rates are allowed to double to 6.8 percent; or \$7,033 if rates stay at 3.4 percent. Keeping the interest rates where they are will save our students nearly \$5,000.

For that reason, I cosponsored Representative JOSEPH COURTNEY's bill, H.R. 1433, which will extend these low rates for at least 2 more years, and that's the fair thing to do. That's the decent thing to do. It's the American thing to do to protect the middle class. This is the approach that we need now with costs of college rising and student debt expanding at historically high rates. Let's examine the facts:

The total outstanding student loan debt in the United States has surpassed the \$1 trillion mark. This is a figure that has outpaced credit card debt, auto debt, and it's second only to mortgage debt in this entire Nation. A recent study shows that student loan debt is the only type of consumer debt in the United States of America that has actually increased during this Great Recession, and the problem only continues to grow worse.

As a result of these debts, millions of Americans cannot buy cars, purchase new homes, start businesses or do the other things that mean realizing the American Dream. It's a terrible time for young people. It's a horrific time for young people.

Let's talk about the unemployment rate for young people. The unemployment rate in April for people between the ages of 16 and 24 was 16.2 percent, more than double the national average that we read about in the newspapers. According to a recent study commissioned by Demos, nearly 45 percent of unemployed Americans are between those ages of 16 and 34. The study also stated that 4.7 million young Americans are underemployed, working part-time, when what they really want to do is get full-time, family-sustaining, good-paying jobs. They don't have them.

As a result, young Americans are either unemployed or are underemployed and will likely lose a combined \$20 billion in earnings over the next decade. That's from the Center for American Progress. Raising their college interest rates is going to further impact their ability to purchase homes, cars, to pay for their children to go to school, further dragging down our dragging economy.

This is all on top of the cost of college. The average published tuition and fees for in-State students at public 4-year colleges in this country increased by 66 percent beyond the rate of inflation between the 2002–2003 and the 2012–2013 academic years. For private colleges, the tuition and fees increased by

27 percent beyond the rate of inflation in that comparable time period. Since 1982, the cost of college tuition and fees has gone up 582 percent—twice the rate of medical care, which is also exploding as we all know.

To help provide students and parents greater transparency as to the true cost of what a college education in total will cost, I introduced last week H.R. 2020, the Truth in Tuition Act, which will require schools to either present each incoming class of students with a multiyear tuition and fee schedule or to give each student a non-binding estimate of what their education will cost them individually.

□ 2030

H.R. 2020, the Truth in Tuition Act, would require schools either to present each incoming class of students with a multiyear tuition and fee schedule or give each student a nonbinding estimate of what their education is going to cost them individually, taking into account tuition fees and that particular student's financial aid package.

In this bill, there are no price caps, and it does not freeze the price of tuition. Schools are free to set tuition rates as they see fit. This legislation will help students and families plan by laying it out in front of them, what they can expect the entire cost of the college education to be, and make sure colleges and universities give every student a clear picture of what their degree will cost.

Responsible colleges and universities are already doing this, and this is already the law in the State of Illinois. This is already happening. But it's the noncompliant, it's the colleges that maybe aren't going the extra mile to inform the students of what kind of fees and costs and tuition that they're facing during the whole course of their university or college career, it's the colleges and universities who are not revealing this that this bill is addressing.

This legislation will help students and families plan for higher education by making sure that they get a clear picture of what the degree is going to cost. It's also going to cut down on excessive tuition and fee fluctuations. It's going to help rein in skyrocketing college costs, and it will encourage colleges to maintain some kind of level, nonfluctuating tuition schedule so that surprises don't happen to the students.

It will also slow college dropout rates in this Nation. Colleges all across the country are experiencing dropouts for the very reason that the students didn't expect the tuition and fees to be raised the way they have been.

The cost of a higher education and the debt carried by our recent graduates have skyrocketed across the last decade. It's the cost of the tuition and it's the interest attached to the debt that are the crippling features of this. Without having a full picture of college costs, students and their families are forced to take on more student loan

debt than they originally anticipated. This bill, H.R. 2020, the Truth in Tuition Act, helps stop the uncertainty.

A further advantage of it is in the pricing, colleges will think ahead about costs and have incentives to develop more restrained budget growth plans. Ultimately, advertised long-term pricing may encourage some colleges to limit their tuition growth voluntarily. In the event of severe economic hardship on the part of the college or the university, a dramatic reduction in State aid for higher education or other exceptional circumstances, this bill provides a waiver for the Secretary of Education to be able to issue to make sure that the schools are not detrimentally impacted.

Mr. Speaker, I oppose H.R. 1911 because it allows the costs of college and university education to get out of hand because of interest rates, and I'm introducing H.R. 2020, the Truth in Tuition Act, in order to restrain costs to begin with. Doing both of these things is something we need to be doing in this Chamber because it is buttressing one of the foundations of the American middle class, allowing young people to complete the educations that they hope to complete, to become the people they want to be, to train themselves, to equip them to compete on a global scale and to achieve the American Dream ultimately, a dream that everyone needs to be able to achieve in this country. Once we start letting go of that, we start letting go of what this country is, the United States of America.

Mr. POCAN. Thank you, Representative CARTWRIGHT. And thank you for your leadership on the Truth in Tuition bill. How apropos to be H.R. 2020, to give a good direct vision on the reality of costs in higher education.

I can say one thing from being a State legislator for 14 years before I came here. I served during the period when the Federal economy collapsed and States had less and less money to invest in public universities. So often you hear about the rising costs in private universities, but even in a system like UW, Wisconsin, which is one of the premium, world-class university systems, the costs have gone up enough that it's harder and harder for that average person to be able to afford the education. So if they rely on the loans and the interest rates double or, worse yet, we pass H.R. 1911 and make them increase even more, you're taking that affordability out of even more people's hands.

I just want to share a very short story, another story from someone who posted it on my Facebook page, and then I'd like to introduce another person on this issue.

I asked for comments on a Facebook page, and I got a comment from a woman named Amber. It is short, but it is poignant.

I haven't yet started paying back my loans. I graduate in July. And as a single

parent, I am terrified I will have to choose between feeding my children and paying my loans. My children will come first, but it still worries me that I'll be strapped beyond what I can make at work.

This is unfortunately what we are doing to the people who are currently graduating from higher institutes of education across the country.

Next I would like to yield some time to a very experienced colleague of mine, a well-respected colleague, a leader among progressives in this body, currently the cochair of the Congressional Progressive Caucus and an outstanding legislator from the neighboring State of Minnesota. I would like to yield some time to Mr. KEITH ELLISON from Minnesota.

Mr. ELLISON. Thank you, Congressman POCAN.

Mr. Speaker, this is an extremely important topic.

Mr. Speaker, I want to say that you should look at legislation like a sailboat on a still pond. It takes the American people, the wind, to move that boat sailing along. And on this student loan issue and on the access to education in this country, we need the American people, Mr. Speaker, to rise up and lift their voices and say, "We demand affordable secondary college education."

There are great ideas. Congressman CARTWRIGHT has a brilliant idea, the Truth in Tuition Act. It is certainly superior to H.R. 1911, which is just deepening and worsening the problem of college affordability. But at the end of the day, the best ideas will sail when the students and the parents across the United States, Mr. Speaker, come together and say, "We insist on quality, affordable education."

Do you know that there are at least 20 million borrowers across the United States for higher ed every year? About 20 million people borrow money every year to go to some form of higher ed: for-profit, nonprofit, private, whatever. It's a lot of people.

The fact is, Mr. Speaker, if those people, just them, said, "These interest rates are not fair. This tuition is not fair. We deserve access to higher education," it would change everything.

Thirty-seven million people owe some sort of tuition payment, and about 5 million of those, according to the statistics I have, are late by at least 1 month. If those people came together and said, "We're going to form ourselves into an organization and we're going to demand better terms," they could move mountains.

But this is a civil rights issue. I'm not talking about color or gender or sexual orientation or anything like that. I'm talking about Americans, middle class people wanting to be a part of the American Dream.

Let me wrap up by saying this, Mr. Speaker. Mr. POCAN, you've been doing an awesome job with the progressive message. But I think that what we're doing with the progressive message is trying to help the American people

imagine America as a generous, inclusive society that accepts people from all walks of life and that it preserves the ladder of opportunity.

We believe we should have early childhood education so that the young ones can get a head start on a good life.

We believe in solid, quality K-12, and that the kids should have nutrition and be safe while they're at the schoolhouse.

We believe that when they get to college, they should be able to seek their dream and be who they want to be, as Mr. CARTWRIGHT so eloquently said.

And we believe people ought to be able to be paid fairly when they're in their adult life and take care of their family and be able to go to the doctor.

And we believe that when people reach their golden years, they ought to be able to retire with dignity, so we protect Social Security.

□ 2040

Cradle to the grave, Americans dream of prosperity. It's not too much to ask for in the richest country in the history of the world, but a key link in that quality life of prosperity in this country is college affordability. And it is something that if you want it, you've got to fight for it. Nobody is going to hand it to you. And when Americans wanted to see civil rights before the law, when they wanted to see African Americans have civil rights, women have civil rights, when they wanted to see people on the job, workers have some voice on the job, they stood up and they said, "We've got to rearrange this deal." When we said that our environment was getting poisoned and dirty and they needed to demand that industry do something to make sure we had a cleaner environment, people stood up, Mr. Speaker, and they did something about it. And this is what we have to do right now.

So I just want to say to you, Mr. POCAN, and you, Mr. Speaker, this is an excellent opportunity to raise key issues about a central issue of American prosperity for working and middle class people.

I do thank the gentleman from Wisconsin.

Mr. POCAN. Thank you very much, Representative ELLISON. Your leadership for many years in this body has been well appreciated. I want to thank you for bringing back really the central theme of the Congressional Progressive Caucus. When we had a budget, it was the back-to-work budget. It's about fighting on behalf of the middle class. We saw the Republican budget in this House balance the budget on the backs of the middle class. But our budget had the back of the middle class and those aspiring to be in the middle class. And one of those fundamental equalizers is that opportunity to get a higher education, to advance in society, to change your economic outlook.

I grew up in a lower middle class family. I not only had student loans, I also had Pell Grants. I was fortunate.

But back when I went to college, you were still able to pay back your loans often in about a 5-year period. But more and more, it's a 10-year, 20-year payment back in order to be able to afford those rising student costs, and that is taking a bite not only out of the current economy, but out of the opportunities for those people getting those degrees so they can improve their lives and their family's lives and rise either into the middle class or to better their lives overall.

So the Congressional Progressive Caucus has had this as a central focus: How can we help lift those in poverty to the middle class and help those in the middle class to have every chance at opportunity that they should have? Those student loans are a crucial part of that. If we let this bill pass, H.R. 1911, tomorrow, in this body, we will put a financial burden on the backs of those who need it the most, those who are taking out loans to afford college. And if we do nothing as a body, the interest rate will double from 3.4 percent to 6.8 percent come July 1. Congress has to act.

Now this body has been able to vote 37 times to try to repeal the Affordable Care Act and the benefits to America's families from the Affordable Care Act—37 times—yet we have not found a way yet to fix the student loan crisis, and we simply need to do that. And that's why the Progressive Caucus is fighting so hard to do that.

I would like to close with one final story. Again, One Wisconsin Now had collected some stories, and this is from a woman from Wisconsin named Diana. Let me read her story:

I graduated from a 4-year college in 2006. Today, 7 years later, my loan payments are over \$600 per month. To put that in perspective, our combined household income is roughly \$48,000 per year. That's 15 percent of our income before taxes. That's money that's not going into our retirement funds, not going towards a new home, not going towards a child's college fund, and certainly not going back into the economy in a productive way. My husband and I have been forced to make major life decisions based on my student loan debt alone. Unfortunately, there's no end in sight with regard to my student loans. My interest rates vary from 4.5 percent to 11.25 percent. Some of the payments I make cover interest alone. My principal balance hasn't changed in months on some of my private loans. This is not what I envisioned when I was applying for colleges my senior year of high school.

These are the real stories from people in Wisconsin, but they're no different from stories of people across the country.

We have heard tonight, and I want to thank Representative JEFFRIES from New York, Representative CARTWRIGHT from Pennsylvania, and Representative ELLISON from Minnesota for coming and sharing those strong words about why we need to address this issue and why it is such a crucial issue—not a Democratic issue, not a Republican issue, not an Independent issue, but an American issue, especially for those in the middle class and those aspiring to be in the middle class.

We need, Mr. Speaker, to act on this. Mr. Speaker, we need to act on this soon, before July 1. But, Mr. Speaker, I'm sorry, but H.R. 1911, the bill before this body tomorrow, will only make the situation worse. I urge my colleagues to vote against it.

Mr. Speaker, I yield back the balance of my time.

#### WEEK IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

It may surprise some of my colleagues, I agree with so much of what was being said with regard to the cost of education and how we need to be very sensitive to that.

I was concerned about the vote we were going to cast tomorrow that would prevent the interest rates from going up to 6.8 percent as they're going to do if this body does nothing. I was very concerned about it going up to 6.8 percent, and then I understood the proposed Republican bill that we are going to take up tomorrow will not let it go up to 6.8, but I was wondering why we didn't just leave it where it is. Let's just extend it.

The Democrats set in motion, when they were in the majority, this situation where it was going to raise. And, actually, it was going to raise last year, and we voted a year ago to just extend the current rate for a year. As I've had members of my own leadership and whip team pushing me on the issue of wanting me to vote for the bill tomorrow, I've been trying to find out more and more about why is this provision in there. Why are we doing this? And it's very clear. Interest rates for student loans are going to go up to 6.8 percent if we do nothing because that's the law that was put in place.

Well, I said, why can't we leave it where it is? And the explanation was given because the Democrats, in what they put together to pay for ObamaCare, actually were counting on, and they got CBO to count on, using the difference between the current rate and it going up to 6.8 percent as the Democrats were counting on it having done.

So, on the one hand, my friends express the same concern that I have about the interest rates jumping up that high, going dramatically to 6.8 percent, and then, on the other hand, they were not explaining that the reason that it was going to jump up so high if we do nothing is because Democrats were counting on that as a way to help pay the massive billions of dollars that are going to be required for ObamaCare even though people are going to get less insurance, less care, and have less say about their care, it's still going to cost billions and billions more.

□ 2050

And, in fact, CBO has indicated, you know, gee, they originally scored it, let's see, over \$1 trillion; and then the President called Doug Elmendorf over from CBO and explained, apparently, said something to him in the Oval Office because then when he went back, magically they were able to lower it under a trillion, as the President said it was going to cost.

And then after it passed, CBO comes back, oh, you know what? We were right the first time. It's going to be more than a trillion, and then it was going to be 1.6 trillion. Others are saying it may be 2 trillion. Who knows how much.

But it's going to cost massive amounts more. There are going to be massive taxes, according to what the Supreme Court calls it. We didn't call it taxes, but that's what the Supreme Court said that the Democrats did when they passed ObamaCare without a single Republican vote. And they were counting on the increase, tremendous increase, the billions of dollars coming from increased interest on student loans rising.

Now, if you go back just a little bit, well, why in the world is the government even involved in the student loan business anyway?

We didn't used to be, as the Federal Government, a bank that just loaned people money on a regular basis. Well, when the Democrats were in the majority, they pushed through a bill that forced all lending institutions out of the student loan business, and the government took over the student loan business.

Well, if this is going to totally cease to be a government that is of the people, by the people and for the people, and not moving toward tyrannical despotism, then we have to allow people to have private property, we have to allow the free market to reign, we have to allow individuals and banking institutions to make the loans.

But oh, no, our friends across the aisle decided we're going to shove the free market out of the student loan business, and we're going to take over student loans. And we're going to set it at a low rate, but we're going to—it's going to go up, and we'll use the billions that come from that magical increase down the road to pay for ObamaCare. And that's how part of it, supposedly, was paid for.

Well, one of the things I learned the hard way while our friends, the Democrats, were in the majority for 4 years, was that actually the first Congress they were in the majority, they passed a pay-as-you-go bill, or PAYGO they called it. I voted for it, and I got criticized by Republican leadership. Don't you know that they don't mean what they say? This doesn't mean—they're not really going to pay for anything. It's just a game.

And I said, how would I not be for paying as we go? That's what their bill said.

And then I learned the hard way on that because then I saw they really weren't serious about it because bill after bill came to the floor, and we said, but you put a rule in place it has to be paid for.

Oh, but we're waiving the pay-as-you-go requirement on this bill.

What about this other one? Well, we're waiving the pay-as-you-go.

And so I was shocked to find out, apparently, our leadership, the folks that had been here for a longer period of time had already learned, and I learned a lesson the hard way.

So the next Congress, when they came up with a pay-as-you-go bill, I said, are you kidding? You fooled me last time. I thought you were serious about it. I'm not going to vote for a bill that you have no interest in actually following through and doing what the bill says. I'm not going to vote for a bill like that. I'm not going to help participate in the charade.

But when it comes to ObamaCare, they say, oh, it's paid for. And this is one of the magical ways that billions of dollars were projected by CBO to be produced. Well, they're going to do it on the backs of students.

Well, we had control, the Republicans did, of the Congress in the previous 2 years; and a year ago we said, well, let's just keep it at the current rate and move it forward a year, and we'll do something a year from now.

So, my Republican friends, when trying to persuade me to vote for this bill tomorrow said, look, the student loan rates will stay where they are for now, but, yeah, eventually they will go up some. But the good news is they won't go all the way up to 6.8.

And I said, why do they go up at all?

They said because we promised we're going to pay as we go and we meant it. But we're not going to go all the way to 6.8. So we'll actually have a shortfall we're going to have to come up with because the Democrats were counting on these billions of dollars coming off the backs of students to pay for ObamaCare.

So, as all of this has become clearer and clearer to me tonight, well, earlier this, late this afternoon, this evening, I've been communicating back and forth with my staff. So we have a bill that my Democratic friends ought to be thrilled to death about, and we're going to file it first thing in the morning; and it ought to excite my friends across the aisle.

And I know my own leadership has been wanting me to vote for this bill. But they say the reason the rates have to go up at all is because, under the budget previously done for ObamaCare, to pay for ObamaCare, the Democrats counted on this revenue. And so since we don't want to increase the deficit spending, we're going to have to let the rates go up a little bit, but we're not going to let them go up to 6.8 as was originally put in place by our Democratic friends.

So, anyway, what my bill will do that we'll file first thing in the morn-

ing is say, you know what, we're going to keep the current rates right where they are. And I hope folks will join me in encouraging my leadership to bring this bill to the floor, my bill to the floor, instead of the one we're going to vote on tomorrow. If we have to wait 72 hours, fine. Let's do it 2 weeks from now. We've got the time.

And my bill will leave the rates right where they are for a 2-year period. And since we don't want—number 1, we don't want the rates to go up for college students. We're sorry that the Democrats ever figured that in as part of the process of paying for ObamaCare.

And since we don't want it to have to go up on the students, those who are having to borrow money to pay for college, then the way we keep from increasing the deficit spending in the bill I'll file first thing in the morning, we eliminate the ObamaCare slush fund, and the billions that are eliminated for the slush fund for ObamaCare will no longer have to come from the backs of young people who cannot afford to go to college without loans.

That's the solution, and I hope my Democratic friends will hear and get word about this great bill, because I believe what they were saying. They're serious. Even though their party passed a bill that we refer to as ObamaCare, it's certainly not affordable care, but they passed that bill, by themselves, without any Republican votes because we knew how bad it was.

We knew how much it was going to cost. We knew you wouldn't get to keep your insurance if you wanted it. We knew you weren't going to get to keep your doctor if you wanted. We saw all those terrible things that are now coming to pass.

And it will prevent the ObamaCare slush fund, the money that's set aside in the ObamaCare bill. It'll just eliminate the slush fund, and say to the Democrats, you never should have had that slush fund, and you're not going to pay for it on the backs of those who can't afford to go to college without getting loans.

Now, I did have to double-check with regard to this bill. I had to make sure that I wasn't going to be voting on something that affected loans that my wife and I are paying, our children's student loans, because before I ever ran for office as a judge, my wife and I had set aside enough money that was going to take care of our kids' college.

But by virtue of running for office and taking a huge cut in pay, we ended up having to utilize that money for our family and for our girls and for expenses. And so my wife and I are paying our kids' student loans because I didn't want them to have to suffer with a bunch of student debt because their father felt a calling to go into public service.

But it would not be appropriate for me to vote on a bill that affected the rates of loans that we're paying, and it is now quite clear that that's not the

case. The student loan bill that we're going to vote on, whether it's the one tomorrow or whether it's the one that I will file tomorrow that I would prefer that we do, either way, it will not affect one iota, not at all loans that are already in place, student loans. So I'll be able to vote.

And, anyway, I've been whipping with my own team, undecided, and then later today was leaning no. And the more I found out, the more it's convinced me, we really should not allow the Democrats pushing through ObamaCare and the massive trillions of dollars that's ultimately going to cost to have any part of it forcibly borne by students, by young people that just want to better themselves by getting a higher education and having to get a loan to do it.

□ 2100

So I have taken the things my friends said to heart and I am counting on them to admit what they said, Mr. Speaker. I'm hoping they'll agree in the morning to cosponsor my bill so that they can be consistent with the things they promised. Now it does defund the ObamaCare slush fund; but since that was originally going to be borne on the backs of college students, I'm sure they don't mind that going away.

With regard to taxes, let's face it, if the money costs the Federal Government an amount down here and they have an interest rate that's higher than the cost of the money that the Federal Government gets to loan to students, then the Federal Government is making money on that. And that's what the Democrats knew and that's why they counted on the higher interest rates to pay for ObamaCare.

Anyway, hopefully, we can work together and get that accomplished. Let's face it, that kind of expense should not have to be borne because, really, it becomes a tax. It's new revenue for the Federal Government. And then I'm hoping before the end of the 2 years, if we would do my bill, we can do what should have been done in the first place, and that is get it back to the private sector where we become referees, again, as a Federal Government to make sure that neither lender nor borrower is cheating. That's what we're supposed to be. We're supposed to be a referee. Over the years, through both Republican and Democratic majorities, the government has continued to move from the realm of being a referee to being also a player and also the coach as well as the referee. And it's hard for anybody to ever compete against a player who's coached and refereed by the opponent. The government shouldn't be in that business of being adversaries, opponents, or competitors with the private sector. It shouldn't be.

So I hope that we will get to a bill that puts all the lending back in the private sector where the Federal Government is no longer the lender. I hope we can do that with different kinds of

insurance. Get it out of the Federal Government. Because, invariably, when the government controls everything, it's just what we've seen with the IRS scandals. You're going to have some abuses with people that would control all of your health care records, people that will make the decisions on what health care you get, people that can actually come in and take your home—the only people that can come in and take your home—the only people that can come in and seize assets without proper due process of the law: the IRS.

It needs to be dismantled, and I hope we can do that. I hope we can get to a place where we're no longer the bureaucracy that becomes so autocratic that it could care less about people's personal feelings. Yes, people come here on the floor of the Congress and talk about people's personal feelings. But when you see the big, monolithic government that's just gotten so big, it doesn't care about people's feelings. It's hurting people right and left.

Sure, the President has private sector leaders stand up and talk about how great ObamaCare was going to be. And now they have been finding out it's not going to be so great. You're not keeping your insurance; you're not keeping your doctor. You're going to get less health care, you're going to get less insurance, it's going to cost a lot more.

And with regard to the IRS scandal, we had Ms. Lerner come before our committee. I was in Judiciary. We were doing our own hearings on other matters. And I heard some of her statement about how she didn't do anything wrong and she's not guilty of anything. Well, as a judge and a chief justice who is very familiar with the Fifth Amendment, I've had to advise defendants. Now you understand if you say anything at all on your own behalf, you have waived your Fifth Amendment right and you will have to answer questions, and you will not be able to claim the Fifth Amendment.

So what did Ms. Lerner do today? She came in and said she didn't do anything wrong. She followed the law in all ways. Oh, she was just a paragon of virtue. Well, then she's waived her right to claim the Fifth Amendment before Congress, and she needs to be brought back up here and have that explained properly. You waived your right when you started telling us how virtuous you were. So now you're going to answer questions, because you can't have it both ways. You can't come in here and say to this Congress, I did absolutely nothing wrong. I violated no laws. I'm in no danger of having violated any laws. And then turn right around and honestly say, I'm not going to speak because what I say is going to tend to incriminate me. Well, it can't incriminate you if you didn't do anything wrong, so go ahead and testify. You started out, so go ahead and finish up.

Sure, you can go out on the street and say, I didn't do anything wrong;

but when you come before a court or Congress and say to that Congress, I didn't do anything wrong, or to a court, I didn't do anything wrong, you just waived your right. Now you're going to tell us what it was that you didn't do wrong so we can decide that for ourselves. So I hope she'll be brought back.

We also had Mr. Douglas Shulman come in and testify. And what I was hearing as far as part of his testimony was, yeah, he knew about the illegality of what was going on, and he was trying to put a stop to it. And he knew that conservatives were being targeted. Well, let's face it, that means that this administration was using the IRS to help them win another election. Well, it worked. How far up into the administration is what we need to know. But I don't believe we're going to find out from people like Mr. Shulman, who went to the White House, he said, over a hundred times. And even though he's working for the President and even though he started out under the Bush administration—that's fine, we had people under the Bush administration that screwed up plenty of times, too—but he's working for President Obama, comes to the White House over a hundred times, knows there's wrongful conduct that's gone on at the IRS and never says a word.

What did you go over a hundred times for? Well, I remember going for an egg roll. Well, guess what? If you went for an egg roll, the President was out there. He normally is for the Easter Egg Roll. You wouldn't even say something? That man should have been fired. We shouldn't have clowns that will work at the IRS know illegal activity is going on, go talk to their boss, go to the White House over a hundred times, and not even breathe a word of it so their bosses know. I wouldn't want somebody like that working for me. If there's illegal activity going on and you come see me over a hundred times, I would hope that during one of those times you would tell me this was going on. Because if you didn't, and I found out, you would be fired as soon as I found out. Ms. Lerner would have been fired as soon as we found out. But instead, what happens? Well, they plant a question so it comes out that way. So maybe the President will learn after we plant a question.

Something is awry. Something is very, very wrong.

□ 2110

Having had thousands of criminal cases come before my court, come through my court, you smell when things don't pass the smell test, and this stinks to high heaven.

So in the morning, I hope I'll have a whole list of Democratic colleagues that are ready to sign on to my bill so that we will keep the interest rates for the student loans where they are so that we don't push paying for the ObamaCare slush fund onto the backs of students. And we then get time to



put the student loan business back in the private sector so the Federal Government can be the referee and monitor the lending institutions and the borrowers, and be the referee. That's what we're supposed to be.

As far as the IRS scandal, Mr. Speaker, I hope and pray some consciences are being bothered and hounded in the IRS and over Benghazi and over the AP scandal—the abuse of process there, the abuse of process in going after conservative reporters—that consciences will begin to be bothered and they won't be cleared until they come forward and say: I'm a whistleblower; I have got to get the truth off my chest. Let the chips fall where they may. That's what I hope and pray for.

With that, Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARY G. MILLER of California (at the request of Mr. CANTOR) for today and for the balance of the week on account of medical reasons.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of illness in the family.

Mr. CLYBURN (at the request of Ms. PELOSI) for today.

Mr. HINOJOSA (at the request of Ms. PELOSI) for May 14 on account of attending a funeral of a young soldier from his district who was killed in Afghanistan.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 982—To prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 23, 2013, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1578. A letter from the Secretary, Department of Transportation, transmitting notification of several violations of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b) and 1351; to the Committee on Appropriations.

1579. A letter from the Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2012 regarding the training, and its associated ex-

penses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2012, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

1580. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Keith M. Huber, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1581. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program-Strengthening Accountability and Regulatory Revisions Update Final Rule Amendment — Revision of Date of Applicability [Docket No.: FR-5465-F-03] (RIN: 2502-AJ05) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1582. A letter from the Secretary, Department of Education, transmitting the Department's final rule — William D. Ford Federal Direct Loan Program [Docket ID: ED-2012-OPE-0006] (RIN: 1840-AD13) received May 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1583. A letter from the Acting Chief Policy Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received May 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1584. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients [Docket No.: FDA-2012-F-0178] received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1585. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Safety Evaluation by the Office of Nuclear Reactor Regulation BWR Vessel and Internals Project BWRVIP-241, Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-To-Vessel Shell Welds and Nozzle Blend Radii received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1586. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Foreign Affairs.

1587. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Foreign Affairs.

1588. A letter from the Chairman, Administrative Conference of the United States,

transmitting the Conference's Performance and Accountability Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

1589. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Residential, Business, and Wind and Solar Resource Leases on Indian Land (RIN: 1076-AE73) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1590. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC633) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1591. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic [Docket No.: 120403251-3290-01] (RIN: 0648-BB70) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1592. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Third Annual Space Coast Super Boat Grand Prix, Atlantic Ocean; Cocoa Beach, FL [Docket No.: USCG-2013-0071] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1593. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Organization and Delegation of Duties [Docket No.: NHTSA-2013-0048] (RIN: 2127-AL44) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1594. A letter from the Acting Secretary, Department of Energy, transmitting Naval Petroleum Reserves Annual Report of Operations for Fiscal Year 2012; jointly to the Committees on Armed Services and Energy and Commerce.

1595. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations, pursuant to Public Law 101-162, section 609(b); jointly to the Committees on Natural Resources and Appropriations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules. House Resolution 232. Resolution providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes (Rept. 113-89). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Ms. WILSON of Florida, Mr. RANGEL, Ms. SLAUGHTER, and Mrs. MCCARTHY of New York):

H.R. 2083. A bill to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees; to the Committee on Education and the Workforce.

By Mr. DELANEY (for himself, Mr. BARR, Mr. BERA, Mr. CARNEY, Mr. COLE, Mr. CONNOLLY, Mr. RODNEY DAVIS of Illinois, Mr. FITZPATRICK, Ms. GABBARD, Mr. GARCIA, Mr. GIBSON, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. KENNEDY, Mr. KIND, Mr. KINZINGER of Illinois, Mr. MESSER, Mr. MORAN, Mr. MURPHY of Florida, Mr. PETERS of California, Mr. PITTEMBERGER, Mr. POLIS, Mr. RUPPERSBERGER, Ms. SINEMA, Mr. STIVERS, Mr. TURNER, and Mr. YOHIO):

H.R. 2084. A bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and non-profit infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. NEAL, Mr. LANCE, Mr. KIND, Mr. GUTHRIE, Mr. PAULSEN, and Mr. TIBERI):

H.R. 2085. A bill to create incentive for innovative diagnostics by improving the process for determining Medicare payment rates for new tests; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. MCINTYRE, Mr. O'ROURKE, Mr. BARBER, Mr. BISHOP of New York, Ms. KUSTER, Mr. LOEBSACK, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Ms. LEE of California, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, Mr. RAHALL, Mr. SWALWELL of California, Mr. MICHAUD, Ms. BROWN of Florida, Mr. BEN RAY LUJAN of New Mexico, Mr. KILMER, Mr. DELANEY, Mr. WAXMAN, Mr. COSTA, and Ms. SHEA-POR-TER):

H.R. 2086. A bill to direct the Secretary to make interim payments of disability compensation benefits for certain claims for such compensation prior to the adjudication of such claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BLACK:

H.R. 2087. A bill to prohibit Federal funds for the establishment or operation of patient navigator programs under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself, Mr. MCINTYRE, Ms. KUSTER, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Ms. LEE of California, Mr. HECK of Nevada, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. BISHOP of New York, and Mr. KILMER):

H.R. 2088. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to establish claims adjudication centers of excellence; to the Committee on Veterans' Affairs.

By Mrs. ROBY (for herself and Mr. ROKITA):

H.R. 2089. A bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal mandates, direction, or control, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIFFITH of Virginia (for himself, Mr. MCCAUL, and Mr. PETERS of California):

H.R. 2090. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to permit provisional approval of fast track products; to the Committee on Energy and Commerce.

By Mrs. BACHMANN:

H.R. 2091. A bill to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property; to the Committee on the Judiciary.

By Mrs. BROOKS of Indiana (for herself, Mrs. WALORSKI, Mr. MESSER, and Ms. JENKINS):

H.R. 2092. A bill to amend title 5, United States Code, to provide that retirement credit for service as a Member of Congress be denied in the case of a former Member convicted of a felony, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Pennsylvania (for himself, Mr. LATTI, Mr. MEADOWS, Mr. FLEISCHMANN, Mr. LOEBSACK, Mr. SHUSTER, Mr. WESTMORELAND, Mr. KING of Iowa, Mr. GRIFFIN of Arkansas, Mr. CRAMER, Mr. LONG, Mr. MULLIN, Mr. HALL, Mr. COLE, Mr. SMITH of Nebraska, Mr. CASSIDY, Mr. OLSON, Mr. LANKFORD, Mr. LUCAS, Mr. GUTHRIE, Mr. ROKITA, and Mr. NUGENT):

H.R. 2093. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Energy and Commerce.

By Mr. ROE of Tennessee (for himself and Mr. HOYER):

H.R. 2094. A bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah:

H.R. 2095. A bill to prohibit an increase in the lands administered by the Bureau of Land Management until a centralized database of all lands identified as suitable for disposal by Resource Management Plans for lands under the administrative jurisdiction of the Bureau is easily accessible to the public on a website of the Bureau; to the Committee on Natural Resources.

By Mr. GRAYSON:

H.R. 2096. A bill to amend the Fair Labor Standards Act to require that employers provide a minimum of 1 week of paid annual leave to employees; to the Committee on Education and the Workforce.

By Mr. CALVERT:

H.R. 2097. A bill to amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities, and for

other purposes; to the Committee on Natural Resources.

By Mr. HUIZENGA of Michigan (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. FRANKS of Arizona, Mr. ROYCE, Mr. SENSENBRENNER, Mr. JONES, Mrs. BLACKBURN, Mr. DUNCAN of South Carolina, Mr. WALBERG, Mr. LOBIONDO, Mr. MULVANEY, Mr. UPTON, Mrs. MILLER of Michigan, and Mr. BENISHEK):

H.R. 2098. A bill to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations and other public service programs, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOKS of Alabama:

H.R. 2099. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. DEFazio:

H.R. 2100. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Financial Services.

By Mr. DEUTCH (for himself, Mr. CONNOLLY, Mr. CONYERS, Mr. ELLISON, Ms. FRANKEL of Florida, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mrs. MCCARTHY of New York, Mr. MORAN, Mr. NOLAN, Ms. PINGREE of Maine, Mr. POLIS, Ms. SCHWARTZ, Ms. WASSERMAN SCHULTZ, Mrs. CAROLYN B. MALONEY of New York, and Mr. MURPHY of Florida):

H.R. 2101. A bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Ms. DELAURO, Mr. LARSON of Connecticut, Mr. COURTNEY, and Mr. HIMES):

H.R. 2102. A bill to provide financial assistance for school construction after a violent or traumatic crisis; to the Committee on Education and the Workforce.

By Mr. FRELINGHUYSEN:

H.R. 2103. A bill to direct the Administrator of the Federal Emergency Management Agency to designate New Jersey Task Force 1 as part of the National Urban Search and Rescue System; to the Committee on Transportation and Infrastructure.

By Mr. FRELINGHUYSEN:

H.R. 2104. A bill to amend title 18, United States Code, and the Social Security Act to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself and Mr. BRIDENSTINE):

H.R. 2105. A bill to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the pilot program for the temporary exchange of information technology personnel; to the Committee on Armed Services.

By Mr. KIND (for himself and Mr. SENBRENNER):

H.R. 2106. A bill to authorize and request the President to award the Medal of Honor posthumously to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Ms. LEE of California (for herself, Mr. GRIJALVA, Mr. CICILLINE, Mr. NOLAN, Ms. SLAUGHTER, and Ms. MCCOLLUM):

H.R. 2107. A bill to prohibit monetary payments by the Federal Government to employees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS:

H.R. 2108. A bill to amend the Higher Education Act of 1965 to provide information to foster youth on their potential eligibility for Federal student aid; to the Committee on Education and the Workforce.

By Mr. LEWIS:

H.R. 2109. A bill to amend title XX of the Social Security Act to provide grants to support job creation initiatives, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 2110. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 2111. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. HIGGINS, Mr. KING of New York, Mr. MAFFEI, Mr. OWENS, Mr. RANGEL, Mr. GRIMM, Mr. HANNA, Ms. CLARKE, Mr. CROWLEY, Mr. COLLINS of New York, Ms. MENG, Mr. ENGEL, Mrs. MCCARTHY of New York, Mr. TONKO, Mrs. CAROLYN B. MALONEY of New York, Mr. GIBSON, Ms. SLAUGHTER, and Mr. ISRAEL):

H.R. 2112. A bill to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the "National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MARINO (for himself and Mr. POSEY):

H.R. 2113. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on the Judiciary.

By Mr. MARINO (for himself and Mr. PIERLUISI):

H.R. 2114. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself and Mr. ROKITA):

H.R. 2115. A bill to amend the National Voter Registration Act of 1993 to require an individual who applies for a motor vehicle driver's license in a new State to indicate whether the new State is to serve as the individual's residence for purposes of registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. NEAL (for himself, Ms. DELAUNO, Mr. LEVIN, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS, Mr. BECERRA, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SANCHEZ of California, Mr. KIND, and Mr. THOMPSON of California):

H.R. 2116. A bill to amend the Internal Revenue Code of 1986 to make improvements in the earned income tax credit; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 2117. A bill to simplify and enhance qualified retirement plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Armed Services, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself and Mr. ROONEY):

H.R. 2118. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUIZ:

H.R. 2119. A bill to amend title 38, United States Code, to improve the opportunity for veterans to use video conferencing for hearings before the Board of Veterans' Appeals; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself and Mr. SHERMAN):

H.R. 2120. A bill to allow mandatory nighttime curfews at certain airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SPEIER (for herself and Mr. KIND):

H.R. 2121. A bill to amend the Federal Crop Insurance Act to require annual disclosure of crop insurance premium subsidies in the public interest; to the Committee on Agriculture.

By Mr. BACHUS (for himself and Mr. LIPINSKI):

H.J. Res. 47. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. MARINO:

H.J. Res. 48. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H. Con. Res. 38. Concurrent resolution recognizing and celebrating the 100th anniversary of the Virgin Islands becoming a part of the United States; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN (for herself, Mr. AMODEI, Mr. BROUN of Georgia, Mr. CONYERS, Mr. DESANTIS, Mr. ENYART, Mr. HALL, Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. PETERSON, Mr. KINZINGER of Illinois, Mr. KING of New York, Mr. NUGENT, Mr. KLINE, Mr. ROE of Tennessee, and Mr. PETERS of Michigan):

H. Res. 231. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

By Mr. CROWLEY (for himself, Mr. NEAL, and Mr. KING of New York):

H. Res. 233. A resolution honoring the Good Friday Agreement (the Belfast Agreement), on the 15th anniversary of its ratification, as the framework for lasting peace in Northern Ireland; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XII,

31. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 149 requesting that the Congress support legislation requiring the Department of Agriculture and the Food and Drug Administration to come up with a nation-wide system for monitoring, labeling, and enforcing the labeling of all whole and processed genetically engineered foods; to the Committee on Agriculture.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GEORGE MILLER of California:

H.R. 2083.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. DELANEY:

H.R. 2084.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. ROSKAM:

H.R. 2085.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states The Congress shall have Power To provide . . . for the . . . general Welfare of the United States.

By Ms. TITUS:

H.R. 2086.  
Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mrs. BLACK:

H.R. 2087.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5

Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

By Mr. MICHAUD:

H.R. 2088.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. ROBY:

H.R. 2089.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests in the power of Congress is in the U.S. Constitution under Article I, Section 8.

By Mr. GRIFFITH of Virginia:

H.R. 2090.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mrs. BACHMANN:

H.R. 2091.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17 of the U.S. Constitution

By Mrs. BROOKS of Indiana:

H.R. 2092.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6, which states that, "Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

By Mr. MURPHY of Pennsylvania:

H.R. 2093.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ROE of Tennessee:

H.R. 2094.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. BISHOP of Utah:

H.R. 2095.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRAYSON:

H.R. 2096.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 3 of the Constitution of the United States "The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes."

By Mr. CALVERT:

H.R. 2097.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HUIZENGA of Michigan:

H.R. 2098.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Amendment X—Nothing in the Constitution authorizes the Federal government to do anything other than those things enumerated (coin money, enter into treaties, conduct a Census—which are inherently governmental). Thus, under Amendment X, the right to carry out commercial activities is reserved to the States, respectively, or to the people.

By Mr. BROOKS of Alabama:

H.R. 2099.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. To make all laws which shall be necessary and proper . . .

By Mr. DEFAZIO:

H.R. 2100.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Article 5

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.

By Mr. DEUTCH:

H.R. 2101.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Ms. ESTY:

H.R. 2102.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. FRELINGHUYSEN:

H.R. 2103.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. FRELINGHUYSEN:

H.R. 2104.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. KILMER:

H.R. 2105.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KIND:

H.R. 2106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 16

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress

By Ms. LEE of California:

H.R. 2107.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2108.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2109.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2110.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2111.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2112.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. MARINO:

H.R. 2113.

Congress has the power to enact this legislation pursuant to the following:

(a) Section 8, Clause 1 of Article I of the Constitution; and

(b) Section 8, Clause 3 of Article I of the Constitution.

By Mr. MARINO:

H.R. 2114.

Congress has the power to enact this legislation pursuant to the following:

(1) Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

(2) Article I, Section 9, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. MILLER of Michigan:

H.R. 2115.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4 of the U.S. Constitution

By Mr. NEAL:

H.R. 2116.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section. 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. NEAL:

H.R. 2117.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. PASCRELL:

H.R. 2118.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RUIZ:

H.R. 2119.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mr. SCHIFF:

H.R. 2120.

Congress has the power to enact this legislation pursuant to the following:

The Valley-Wide Noise Relief Act is constitutional under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The bill is constitutionally authorized under the Necessary and Proper Clause, which supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text.

By Ms. SPEIER:

H.R. 2121.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. BACHUS:

H.J. Res. 47.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

By Mr. MARINO:

H.J. Res. 48.

Congress has the power to enact this legislation pursuant to the following:

Article V: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. MCINTYRE.

H.R. 139: Mr. SCHNEIDER.

H.R. 148: Mr. HORSFORD.

H.R. 207: Mr. KINZINGER of Illinois.

H.R. 300: Mr. LEWIS.

H.R. 301: Mr. FORBES.

H.R. 322: Mrs. MILLER of Michigan.

H.R. 366: Ms. ESHOO.

H.R. 410: Mr. JONES.

H.R. 416: Mr. FRANKS of Arizona.

H.R. 495: Mr. COLE, Mr. McCAUL, Mr. GRIMM, Mr. COSTA, Mr. BURGESS, Mr. HOLDING, and Mr. NEUGEBAUER.

H.R. 498: Mr. MICHAUD and Mr. PETERSON.

H.R. 503: Mr. GRIMM and Mr. WOMACK.

H.R. 525: Mr. GARDNER.

H.R. 543: Mr. SMITH of New Jersey, Mr. RYAN of Ohio, Mr. GERLACH, and Ms. LOFGREN.

H.R. 595: Mr. PETERS of California.

H.R. 630: Mr. PASTOR of Arizona, Mr. LEVIN, Mr. JOHNSON of Ohio, and Mr. PETERSON.

H.R. 641: Ms. SHEA-PORTER.

H.R. 654: Mr. BISHOP of Utah.

H.R. 685: Mr. CARTER, Mr. SCHIFF, Mr. MULLIN, Mr. PEARCE, Mr. ROE of Tennessee, Mr. GOHMERT, Mr. KING of Iowa, and Mr. JOYCE.

H.R. 705: Mr. CHABOT.

H.R. 737: Ms. WASSERMAN SCHULTZ.

H.R. 739: Mr. SCOTT of Virginia.

H.R. 755: Mr. SHIMKUS, Mr. SCHOCK, Mr. CHABOT, Mr. GRIFFIN of Arkansas, Mr. GUTHRIE, and Mrs. BLACK.

H.R. 760: Mr. CARTWRIGHT.

H.R. 761: Mr. WESTMORELAND.

H.R. 763: Mrs. WAGNER, Mr. BROUN of Georgia, Mr. BARTON, Mr. MURPHY of Pennsylvania, Mr. SOUTHERLAND, Mr. CAMPBELL, and Mr. YOHO.

H.R. 769: Mr. SHERMAN.

H.R. 778: Mr. HASTINGS of Florida and Mr. PIERLUISI.

H.R. 781: Mr. ROSKAM.

H.R. 792: Mr. PRICE of Georgia and Mr. HORSFORD.

H.R. 794: Mr. YARMUTH.

H.R. 811: Mr. MARKEY.

H.R. 830: Mr. MCINTYRE.

H.R. 831: Mr. RYAN of Ohio and Ms. FUDGE.

H.R. 847: Mr. GUTIERREZ, Ms. EDWARDS, and Mr. KEATING.

H.R. 850: Mr. COURTNEY, Mr. THOMPSON of Mississippi, Ms. DEGETTE, Mr. COOPER, Ms. LOFGREN, and Ms. SHEA-PORTER.

H.R. 901: Mr. SESSIONS, Ms. CASTOR of Florida, Mr. PASCRELL, Mr. GARCIA, Mr. NEAL, and Mr. BACHUS.

H.R. 920: Mr. POCAN.

H.R. 940: Mr. RIBBLE, Mr. GRAVES of Missouri, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, and Mr. FARENTHOLD.

H.R. 946: Mr. LANKFORD.

H.R. 961: Mr. GRAYSON, Mr. PASTOR of Arizona, Mr. GERLACH, Mr. MCKINLEY, Mr. SCHRADER, and Mr. BISHOP of Georgia.

H.R. 963: Mr. POLLS and Ms. SHEA-PORTER.

H.R. 997: Mr. BRIDENSTINE and Mr. MARCHANT.

H.R. 1014: Mr. GERLACH.

H.R. 1020: Mr. COLLINS of Georgia, Mr. RIBBLE, Mr. THORNBERRY, and Mr. CAMPBELL.

H.R. 1024: Mr. BLUMENAUER and Mrs. KIRKPATRICK.

H.R. 1038: Mr. SCHIFF.

H.R. 1039: Mr. FRANKS of Arizona.

H.R. 1093: Mr. MATHESON.

H.R. 1129: Mr. WALBERG and Mr. KILMER.

H.R. 1141: Mr. GOODLATTE.

H.R. 1143: Mr. LANKFORD and Mr. HOLDING.

H.R. 1146: Mr. TURNER.

H.R. 1148: Mr. BUTTERFIELD.

H.R. 1149: Mr. LATHAM.

H.R. 1155: Mr. WELCH.

H.R. 1179: Ms. ESHOO.

H.R. 1186: Mr. BARR, Mr. STOCKMAN, Mr. DELANEY, and Mrs. BLACKBURN.

H.R. 1188: Mr. COBLE and Mr. MICHAUD.

H.R. 1229: Ms. MOORE, Ms. MCCOLLUM, and Ms. SCHAKOWSKY.

H.R. 1247: Mr. COURTNEY.

H.R. 1250: Mr. SESSIONS and Mr. SHUSTER.

H.R. 1304: Mr. DUNCAN of South Carolina.

H.R. 1319: Mr. HINOJOSA.

H.R. 1346: Mr. LEWIS.

H.R. 1386: Mr. GOODLATTE.

H.R. 1395: Ms. ROYBAL-ALLARD.

H.R. 1404: Mr. DUNCAN of South Carolina.

H.R. 1413: Ms. KUSTER.

H.R. 1414: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1416: Ms. GRANGER.

H.R. 1420: Mr. GARAMENDI.

H.R. 1422: Mr. DAINES, Mr. BISHOP of Utah, Mr. GOHMERT, Mr. BARTON, Mr. PRICE of Georgia, Mr. STOCKMAN, and Mr. WESTMORELAND.

H.R. 1494: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1507: Ms. MATSUI, Mr. COURTNEY, Mr. OWENS, Mr. ANDREWS, Mr. PERLMUTTER, Mr. FARR, Mr. DELANEY, Mr. VAN HOLLEN, Mr. MAFFEI, Mr. LOBIONDO, and Mr. NUNES.

H.R. 1521: Mr. BISHOP of New York, Ms. SHEA-PORTER, Mr. WAXMAN, and Ms. SLAUGHTER.

H.R. 1528: Ms. SCHWARTZ.

H.R. 1560: Ms. WASSERMAN SCHULTZ.

H.R. 1565: Mr. SEAN PATRICK MALONEY of New York and Mrs. NEGRETE MCLEOD.

H.R. 1582: Mr. WHITFIELD.

H.R. 1587: Mr. LATTA and Mr. DUNCAN of South Carolina.

H.R. 1590: Mr. MARKEY.

H.R. 1593: Mr. SIRES, Mr. SABLAN, Mr. MURPHY of Florida, and Mr. PRICE of North Carolina.

H.R. 1595: Mr. SCHNEIDER and Ms. VELÁZQUEZ.

H.R. 1601: Mr. NADLER.

H.R. 1623: Ms. MOORE, Ms. SHEA-PORTER, and Mr. WAXMAN.

H.R. 1633: Mr. TIPTON.

H.R. 1634: Mr. WITTMAN.

H.R. 1638: Mr. AUSTIN SCOTT of Georgia.

H.R. 1642: Mr. OWENS.

H.R. 1643: Mr. OWENS.

H.R. 1692: Ms. PINGREE of Maine, Mr. LEWIS, Ms. NORTON, and Mr. ISRAEL.

H.R. 1699: Ms. EDWARDS.

H.R. 1701: Mr. HALL and Mr. ROE of Tennessee.

H.R. 1717: Mr. GRIFFIN of Arkansas, Mr. MICHAUD, Mr. JORDAN, Ms. ROS-LEHTINEN, Mr. PALAZZO, Mr. KEATING, Mr. OLSON, Mr. ROGERS of Michigan, and Mr. WHITFIELD.

H.R. 1729: Mr. WAXMAN, Mr. COSTA, Ms. SHEA-PORTER, and Ms. HANABUSA.

H.R. 1731: Ms. WILSON of Florida and Mr. THOMPSON of California.

H.R. 1739: Ms. CLARKE, Mr. BISHOP of Georgia, Mr. KILDEE, Mr. HECK of Washington, Mr. VARGAS, Ms. JACKSON LEE, Ms. FUDGE, Mr. NOLAN, Mr. RUPPERSBERGER, Mr. ANDREWS, Ms. WATERS, Mr. COSTA, Mr. MAFFEI, Mr. LOEBACK, and Mr. GALLEGOS.

H.R. 1748: Mr. PIERLUISI.

H.R. 1749: Mr. LEWIS.

H.R. 1759: Ms. MOORE.

H.R. 1763: Mr. KILMER, Mr. SCOTT of Virginia, Mr. PERLMUTTER, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. LOFGREN, and Mr. MCNERNEY.

H.R. 1773: Mr. BACHUS.

H.R. 1775: Ms. BORDALLO.

H.R. 1780: Mr. JOYCE.

H.R. 1787: Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. GRIJALVA, Mr. GRIFFITH of Virginia, and Mr. ELLISON.

H.R. 1797: Mr. SAM JOHNSON of Texas, Mrs. BACHMANN, Mr. LATHAM, and Mr. THOMPSON of Pennsylvania.

H.R. 1809: Ms. SHEA-PORTER.

H.R. 1814: Mr. RYAN of Wisconsin, Mr. ROE of Tennessee, and Ms. LEE of California.

H.R. 1823: Mr. GOSAR.

H.R. 1825: Mr. SMITH of Nebraska and Mr. UPTON.

H.R. 1826: Mr. MULVANEY.  
 H.R. 1842: Ms. SINEMA and Mr. JONES.  
 H.R. 1844: Ms. WASSERMAN SCHULTZ, Mr. PIERLUISI, Mr. TONKO, Mr. SERRANO, Mr. GRAYSON, Mr. HUFFMAN, and Mr. SWALWELL of California.  
 H.R. 1847: Mr. DUNCAN of Tennessee.  
 H.R. 1852: Mr. CLEAVER, Mr. CRENSHAW, Mr. VALADAO, Mr. SIMPSON, Mr. CALVERT, Ms. GRANGER, Mr. CAMPBELL, Mr. FINCHER, Mr. MASSIE, Mr. BROOKS of Alabama, Mr. STUTZMAN, Mrs. ELLMERS, Mr. BUCSHON, Mr. GIBBS, Mr. GRIMM, Mr. WESTMORELAND, Mr. RUSH, Mrs. WAGNER, Mr. HUNTER, Mr. ROE of Tennessee, Mr. GRIJALVA, Mr. GRIFFIN of Arkansas, Mr. SHUSTER, Mr. STIVERS, Mr. TIPTON, Mr. BILIRAKIS, Mr. TERRY, Mr. WHITFIELD, Mr. ADERHOLT, Mr. TIBERI, Mr. MCHENRY, Mr. GRAVES of Missouri, Mr. MARINO, Mr. KELLY of Pennsylvania, Mr. GERLACH, Mr. BARLETTA, Mr. SHIMKUS, Mr. CONAWAY, Mr. JONES, Mr. WILSON of South Carolina, Mr. BRALEY of Iowa, and Mr. SCHWARTZ.  
 H.R. 1864: Ms. BROWNLEY of California, Ms. FRANKEL of Florida, Ms. SCHWARTZ, Mr. KILMER, Mr. MESSER, Mr. YOUNG of Indiana, and Ms. HERRERA BEUTLER.  
 H.R. 1867: Mr. MEEHAN.  
 H.R. 1868: Mr. KINZINGER of Illinois.  
 H.R. 1869: Mr. SENSENBRENNER, Mr. SOUTHERLAND, Mr. STUTZMAN, and Mr. MESSER.  
 H.R. 1876: Mr. MURPHY of Florida and Ms. FRANKEL of Florida.  
 H.R. 1882: Mr. HUELSKAMP, Mrs. BLACKBURN, Mr. FINCHER, Mrs. CAPITO, AND MR. DUNCAN of Tennessee.  
 H.R. 1897: Mr. POE of Texas.  
 H.R. 1904: Mr. MAFFEL.  
 H.R. 1913: Mr. BARTON.  
 H.R. 1920: Mr. JOHNSON of Georgia, Mr. HINOJOSA, Ms. BROWN of Florida, Mr. KILMER, Mr. BISHOP of Georgia, Mr. RANGEL, and Mrs. NEGRETE MCLEOD.  
 H.R. 1946: Mr. GARAMENDI.  
 H.R. 1950: Mr. WITTMAN, Mr. WALBERG, Mr. DUNCAN of Tennessee, and Mr. ROGERS of Alabama.

H.R. 1951: Mr. KENNEDY.  
 H.R. 1962: Ms. DELBENE and Mr. LANGEVIN.  
 H.R. 1971: Mr. COLE, Mr. FINCHER, Mr. BUCHANAN, and Mr. BARBER.  
 H.R. 1979: Mr. DEFAZIO.  
 H.R. 1985: Mr. SHUSTER.  
 H.R. 1987: Ms. MENG and Ms. GABBARD.  
 H.R. 1992: Mr. POE of Texas and Mr. GARDNER.  
 H.R. 1998: Mr. FARR, Mr. MORAN, Ms. SHEA-PORTER, Mr. KEATING, Mr. CAMPBELL, Mr. HONDA, Ms. ESHOO, Ms. PINGREE of Maine, and Mr. TIERNEY.  
 H.R. 2000: Ms. DEGETTE, Mr. COSTA, Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, Mr. WELCH, and Ms. TSONGAS.  
 H.R. 2009: Mr. LATTI, Mr. TIBERI, Mr. ROKITA, Mr. MULVANEY, Mr. DESANTIS, Mr. POSEY, Mr. LABRADOR, Mr. DUNCAN of South Carolina, Mr. STEWART, Mr. GOHMERT, Mr. BARTON, Mr. LAMALFA, and Mr. SOUTHERLAND.  
 H.R. 2010: Mr. MULVANEY.  
 H.R. 2014: Mr. RIBBLE, Mr. LAMALFA, Mr. HUIZENGA of Michigan, Mr. GOHMERT, Mr. HALL, Mr. POSEY, and Mr. SOUTHERLAND.  
 H.R. 2019: Mrs. CAPITO, Mr. GRIFFIN of Arkansas, Mr. ROKITA, Mrs. LUMMIS, Mr. LUETKEMEYER, Mr. DUNCAN of Tennessee, Mr. ROGERS of Kentucky, Mr. LANCE, Mr. FORTENBERRY, Mr. MATHESON, Mr. FITZPATRICK, and Mr. SESSIONS.  
 H.R. 2020: Mr. VELA, Mr. SIRES, Mr. COHEN, Mr. NOLAN, Ms. SHEA-PORTER, Mr. PIERLUISI, and Mr. ISRAEL.  
 H.R. 2022: Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. GRIFFIN of Arkansas, Mr. TIBERI, Mr. REICHERT, Mr. FINCHER, Mr. WESTMOREL, Mr. MULVANEY, Mr. LAMALFA, and Mr. PERRY.  
 H.R. 2026: Mr. OWENS.  
 H.R. 2028: Mr. BISHOP of New York, Mr. FATTAH, Mr. CLAY, and Mr. PRICE of North Carolina.  
 H.R. 2036: Mr. RANGEL.  
 H.R. 2043: Mr. POCAN.  
 H.R. 2052: Mr. LONG, Mr. KINZINGER of Illinois, and Mr. LANCE.

H.R. 2053: Mr. GRIFFIN of Arkansas, Mr. ROE of Tennessee, and Mr. POSEY.  
 H.R. 2055: Mr. KINZINGER of Illinois.  
 H.R. 2059: Mr. KILMER, Mrs. LOWEY, and Mr. POCAN.  
 H.R. 2060: Ms. WILSON of Florida.  
 H.R. 2067: Mr. CONNOLLY.  
 H. Con. Res. 34: Ms. ESHOO.  
 H. Res. 30: Mr. BEN RAY LUJAN of New Mexico, and Mr. GRIFFITH of Virginia.  
 H. Res. 36: Mr. CALVERT.  
 H. Res. 86: Mr. JOHNSON of Ohio.  
 H. Res. 89: Mr. CULBERSON, Mr. SAM JOHNSON of Texas, and Mr. DELANEY.  
 H. Res. 104: Mr. MCNERNEY, Mr. MICHAUD, and Mr. ISSA.  
 H. Res. 110: Mr. BENTIVOLIO.  
 H. Res. 123: Mr. HIMES.  
 H. Res. 182: Mr. NOLAN.  
 H. Res. 183: Mr. MCCAUL.  
 H. Res. 188: Mr. VAN HOLLEN.  
 H. Res. 212: Mr. YOUNG of Florida.  
 H. Res. 213: Mr. ELLISON, Mr. HUFFMAN, Ms. BROWNLEY of California, and Ms. SHEA-PORTER.  
 H. Res. 227: Mr. PETERS of Michigan, Mr. CICILLINE, Ms. LEE of California, Mr. NUNES, Ms. SPEIER, Mr. COSTA, Ms. CHU, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. SARBANES, Ms. SCHWARTZ, Mr. HOLT, Mr. MCGOVERN, Mr. GARRETT, and Ms. ESHOO.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

18. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 220 urging the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; to the Committee on Transportation and Infrastructure.